

Exhibit 4

A-E

Exhibit 4-A

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13 *Toshiba Corporation*

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 (SAN FRANCISCO DIVISION)

17 IN RE: CATHODE RAY TUBE (CRT)
18 ANTITRUST LITIGATION

19 Case No. 07-5944 SC
20 MDL No. 1917

21 This Document Relates to:

22 ALL INDIRECT-PURCHASER ACTIONS

23 **TOSHIBA CORPORATION'S**
24 **OBJECTIONS AND RESPONSES**
25 **TO INDIRECT-PURCHASER**
26 **PLAINTIFFS' FIRST SET OF**
27 **INTERROGATORIES TO**
28 **DEFENDANTS**

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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's
2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court
3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba Corporation
4 ("Toshiba Corp.") hereby submits the following Objections and Responses to Indirect
5 Purchaser Plaintiffs' First Set of Interrogatories to Defendants, dated August 1, 2014 (the
6 "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the
8 above caption. Each response is subject to all objections as to relevance, materiality and
9 admissibility, and to any and all objections on any ground that would require exclusion of any
10 response if it were introduced in court. All evidentiary objections and grounds are expressly
11 reserved.

12 Each of the following responses is made on the basis of the information available at
13 the time of service of the responses. Toshiba Corp.'s responses to these Interrogatories are
14 subject to the provisions of the Stipulated Protective Order that the Court issued on June 18,
15 2008 (the "Protective Order"). Toshiba Corp.'s responses are hereby designated
16 "Confidential" in accordance with the provisions of the Protective Order.

GENERAL OBJECTIONS

17
18 1. Toshiba Corp. objects to the Interrogatories, including the Definitions and
19 Instructions provided therein, to the extent they contravene the April 3, 2012 Order re
20 Discovery and Case Management Protocol, Docket number 1128 in the MDL.

21 2. Toshiba Corp. objects to the Interrogatories, including the Definitions and
22 Instructions provided therein, to the extent they purport to impose obligations beyond those
23 required or permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice
24 in Civil Proceedings before the United States District Court for the Northern District of
25 California or to the extent it is outside the scope of any order or opinion of this Court.

26 3. Toshiba Corp. objects to the Interrogatories, including the Definitions and
27 Instructions provided therein, to the extent they call for the production of documents or
28 information that relate to matters not raised by the pleadings, to the extent they are not

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1 material and necessary to the prosecution or defense of this action, and to the extent they are
2 not reasonably calculated to lead to the discovery of admissible evidence.

3 4. Toshiba Corp. objects to the Interrogatories, including the Definitions and
4 Instructions provided therein, to the extent they are overly broad, unduly burdensome, vague,
5 or ambiguous. Toshiba Corp. further objects to the Interrogatories, including the Definitions
6 and Instructions provided therein, to the extent they purport to seek discovery of information
7 from disaster recovery systems and archives.

8 5. Toshiba Corp. objects to the Interrogatories, including the Definitions and
9 Instructions provided therein, to the extent they state and/or call for legal conclusions and/or
10 admissions.

11 6. Toshiba Corp. objects to the Interrogatories, including the Definitions and
12 Instructions provided therein, to the extent they call for publicly available information.

13 7. Toshiba Corp. objects to the Interrogatories, including the Definitions and
14 Instructions provided therein, to the extent they seek information or documents protected by
15 the attorney-client privilege, attorney work-product doctrine or any other applicable privilege,
16 protection, immunity, or rule (collectively, "Privileged Information"). Toshiba Corp. will not
17 disclose any Privileged Information in response to any Interrogatory. Toshiba Corp. does not
18 intend by these Objections and Responses to waive any claim of privilege or immunity. Any
19 inadvertent production of such material or information is not intended to, and shall not,
20 constitute a general or specific waiver in whole or in part of those privileges or protections as
21 to material or information inadvertently produced or the subject matter thereof. Nor is any
22 inadvertent production intended to, nor shall it, constitute a waiver of the right to object to any
23 use of such document or information.

24 8. Toshiba Corp. objects to the Interrogatories, including the Definitions and
25 Instructions provided therein, to the extent they seek information, the disclosure of which
26 would violate applicable law, including, but not limited to, privacy laws. In providing any
27 response, Toshiba Corp. does so only to the extent allowable under applicable law.
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1 9. Toshiba Corp. objects to the Interrogatories, including the Definitions and
2 Instructions provided therein, to the extent they seek confidential, proprietary, or trade secret
3 information.

4 10. Toshiba Corp. objects to the Interrogatories, including the Definitions and
5 Instructions provided therein, to the extent they seek documents or information, the disclosure
6 of which is prohibited by contractual obligations or agreements between Toshiba Corp. and
7 third parties.

8 11. Toshiba Corp. objects to the Interrogatories, including the Definitions and
9 Instructions provided therein, to the extent they are oppressive or constitute an abuse of
10 process in light of the costs imposed on Toshiba Corp. weighed against the Plaintiffs' need for
11 the information.

12 12. Toshiba Corp. objects to the Interrogatories, including the Definitions and
13 Instructions provided therein, to the extent they seek disclosure of documents or information
14 not reasonably accessible to Toshiba Corp.

15 13. Toshiba Corp. objects to the Interrogatories, including the Definitions and
16 Instructions provided therein, to the extent they seek information which is equally accessible
17 to Plaintiffs as to Toshiba Corp., or which has already been produced by other parties.

18 14. Toshiba Corp. objects to the Interrogatories, including the Definitions and
19 Instructions provided therein, to the extent they seek information, the disclosure of which is
20 prohibited by law, regulation, or order of a court or another authority of the foreign
21 jurisdiction in which the documents or information are located.

22 15. Toshiba Corp. objects to the Interrogatories, including the Definitions and
23 Instructions provided therein, to the extent they seek disclosure of documents or information
24 that is not within Toshiba Corp.'s possession, custody, or control.

25 16. Toshiba Corp. objects to the Interrogatories, including the Definitions and
26 Instructions provided therein, to the extent they are cumulative to or duplicative of other
27 Interrogatories or Document Requests.
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1 17. Toshiba Corp. objects to the Interrogatories pursuant to Civil L.R. 33-2, which
2 states that “a demand that a party set forth the basis for a denial of an admission requested
3 under Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and
4 is allowable only to the extent that a party is entitled to propound additional interrogatories.”

5 18. Toshiba Corp. objects to the Interrogatories pursuant to Rule 33(a)(1), which
6 limits the number of interrogatories that may be served by one party on another party to 25
7 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
8 interrogatory limit of Rule 33(a)(1).

9 19. Toshiba Corp.’s response to the Interrogatories is not intended to be, and shall
10 not be construed as, an agreement or concurrence by Toshiba Corp. with the Plaintiffs’
11 characterization of any facts, circumstances, or legal obligations. Toshiba Corp. reserves the
12 right to contest any such characterization. Toshiba Corp. further objects to the Interrogatories
13 to the extent they contain express or implied assumptions of fact or law with respect to
14 matters at issue in the case.

15 20. Toshiba Corp. objects to the Interrogatories, including the Definitions and
16 Instructions provided herein, to the extent they seek the discovery of information regarding
17 Toshiba Corp.’s sales outside the United States and unrelated to United States commerce, as
18 such sales are beyond the scope of this litigation and production of such information would
19 render these interrogatories overly broad, unduly burdensome and not reasonably calculated to
20 lead to the discovery of admissible evidence. Toshiba Corp. also objects to the Interrogatories
21 to the extent they seek discovery of information that is beyond the scope of the Sherman
22 Antitrust Act, 15 U.S.C. § 1. Toshiba Corp. will only produce responsive, non-privileged
23 information and documents that relate to Toshiba Corp.’s sales, if any, of CRTs or CRT
24 Products that are shipped to the United States or that related to activity with a direct,
25 substantial and reasonably foreseeable effect on U.S. commerce and that can be located
26 through a reasonable search.

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1 21. Toshiba Corp. objects to the Interrogatories on the basis that Plaintiffs bear the
2 burden of proof to establish standing; Toshiba Corp. has no obligations to disprove standing
3 and cannot be compelled to disprove it.

4 22. Toshiba Corp. objects to the Interrogatories to the extent that the
5 Interrogatories intend to imply that Toshiba Corp. bears the burden of proof for each of the
6 defenses cited in its Answer.

7 23. Toshiba Corp. objects to the defined terms “Bilateral Meeting,”
8 “Communication,” “Employee,” “Evidence,” “Glass Meeting,” “Law Enforcement Agents,”
9 and “Meeting” because they are overly broad, unduly burdensome, not relevant and not
10 reasonably calculated to lead to the discovery of admissible evidence.

11 24. Toshiba Corp. objects to the defined term “Defendant” because the
12 incorporation of any or all of the terms “present or former directors, officers, employees,
13 agents, representatives, or any persons acting or purporting to act on behalf of the defendant”
14 into the definition renders each Interrogatory incorporating any of the defined terms overly
15 broad and unduly burdensome, as they call for information that is not relevant to the claim or
16 defense or any party, not relevant to the subject matter involved in this action and not
17 reasonably calculated to lead to the discovery of admissible evidence, and because they
18 improperly purport to seek information from distinct persons not parties to the case and not
19 controlled by Toshiba Corp.

20 25. Toshiba Corp. objects to the defined term “Document” as vague, ambiguous,
21 overly broad, unduly burdensome, not reasonably calculated to lead to the discovery of
22 admissible evidence and inconsistent with the definition in Rule 34(a)(1)(A) of the Federal
23 Rules of Civil Procedure. Toshiba Corp. further objects to this definition on the ground that it
24 seeks original documents or purports to require the production of documents in a specified
25 medium or format, including to the extent it purports to impose obligations on Toshiba Corp.
26 beyond those required by the Production of Electronically Stored Information (“ESI”), Docket
27 No. 828 in the MDL.

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1 26. Toshiba Corp. objects to the defined terms “You” and “Your” because they are
2 vague, overly broad, and unduly burdensome, because they include entities not controlled by
3 Toshiba Corp., because they seek information that is neither relevant nor reasonably
4 calculated to lead to the discovery of admissible information, and, in addition, because they
5 improperly purport to seek information from distinct corporate entities and persons not parties
6 to the case and not controlled by Toshiba Corp. Toshiba Corp. further objects to the
7 definitions of “You” and “Your” because the incorporation of any or all of the terms
8 “subsidiaries,” “departments,” “divisions,” “affiliates,” “employees,” “agents,” or
9 “representatives” into the definitions renders the Interrogatories overly broad and unduly
10 burdensome because it calls for information that is not relevant to the claim or defense of any
11 party, because it is not relevant to the subject matter involved in this action, because it is not
12 reasonably calculated to lead to the discovery of admissible evidence, and because it
13 improperly purports to seek information from entities that are neither parties to the case, nor
14 controlled by Toshiba Corp.

15 27. Toshiba Corp. objects to the defined term “Class Period” to the extent that it
16 exceeds the “Class Period” defined in the Complaints, because it is overly broad, unduly
17 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible
18 evidence. Toshiba Corp. also objects to the definition of “Class Period” because it is well
19 beyond the relevant statute of limitations. Toshiba Corp. further objects to the term “Class
20 Period” to the extent that it seeks documents created after this litigation began. For the
21 purposes of responding to these Interrogatories, Toshiba Corp. will interpret the term “Class
22 Period” as referring to the “Class Period” defined in the Complaints, which is March 1, 1995
23 to November 25, 2007.

24 28. Discovery is ongoing. This response is being made after reasonable inquiry
25 into the relevant facts, and is based upon the information presently known to Toshiba Corp.
26 Further investigation and discovery may result in the identification of additional information
27 or contentions, and Toshiba Corp. expressly reserves all rights to amend its responses and
28 objections to Indirect Purchaser Plaintiffs’ First Set of Interrogatories as necessary. Toshiba

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1 Corp.'s responses should not be construed to prejudice its right to conduct further
 2 investigation in this case, or to limit Toshiba Corp.'s use of any additional evidence that may
 3 be developed.

4 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

5 **INTERROGATORY NO. 1:**

6 Have You ever participated in any conspiracy to fix prices, limit production or
 7 capacity, allocate customers and/or allocate market share of CRTs?

8 **RESPONSE:**

9 In addition to its General Objections listed above, Toshiba Corp. objects to
 10 Interrogatory No. 1 because it is vague, overly broad, unduly burdensome, and seeks
 11 information that is neither relevant nor reasonably calculated to lead to the discovery of
 12 admissible evidence.

13 Subject to and without waiving the objections stated above, Toshiba Corp. denies ever
 14 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
 15 and/or allocate market share of CRTs.

16 **INTERROGATORY NO. 2:**

17 If You contend that You withdrew from any CRT Conspiracy, state:

18 (a) Why You withdrew from the conspiracy;

19 (b) What specific acts You took to withdraw from the CRT Conspiracy;

20 (c) Any co-conspirators or Law Enforcement Agents to whom You communicated

21 Your withdrawal; and

22 (d) Who withdrew from the CRT Conspiracy on your behalf

23 **RESPONSE:**

24 In addition to its General Objections listed above, Toshiba Corp. objects to
 25 Interrogatory No. 2 because it is vague, overly broad, unduly burdensome, and seeks
 26 information that is neither relevant nor reasonably calculated to lead to the discovery of
 27 admissible evidence.

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1 Toshiba Corp. also objects to the term “CRT Conspiracy” because it is vague,
 2 ambiguous, overly broad, unduly burdensome and seeks information that is neither relevant
 3 nor reasonably calculated to lead to the discovery of admissible evidence.

4 Subject to and without waiving the objections stated above, Toshiba Corp. denies ever
 5 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
 6 and/or allocate market share of CRTs. Toshiba Corp. exited the CRT market when it entered
 7 into the Business Integration Agreement with Matsushita Electric Industrial Co., Ltd., on
 8 January 29, 2003. Under the Business Integration Agreement, Toshiba Corp. agreed to
 9 combine and integrate its CRT business into an integrated company known as Matsushita
 10 Toshiba Picture Display Co., Ltd. (“MTPD”). Accordingly, on March 31, 2003, Toshiba
 11 Corp. transferred its CRT personnel, factories, and all documentation to MTPD, and exited
 12 the CRT market. By exiting the CRT market, Toshiba Corp. withdrew from any alleged
 13 conspiracy.

14 Following the creation of MTPD, Toshiba Corp. had no control over the day-to-day
 15 activities of the newly created company. MTPD was not jointly controlled; Toshiba was a
 16 35.5% minority shareholder with limited rights, while Matsushita alone had decisive influence
 17 over MTPD. Further, Matsushita controlled MTPD’s voting rights and Board of Directors.

18 Discovery is ongoing. Toshiba Corp. reserves the right to supplement, amend,
 19 expand, correct, or clarify these objections and response to this Interrogatory and to assert
 20 additional general and specifics objections arising from matters discovered during the course
 21 of the litigation.

22 **INTERROGATORY NO. 3:**

23 If Your answer to Interrogatory No. 2, above, is in the affirmative, identify all
 24 Evidence upon which You intend to rely to prove such contention.

25 **RESPONSE:**

26 In addition to its General Objections listed above, Toshiba Corp. objects to
 27 Interrogatory No. 3 because it is vague, overly broad, unduly burdensome, and seeks
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1 information that is neither relevant nor reasonably calculated to lead to the discovery of
2 admissible evidence.

3 Toshiba Corp. also objects to Interrogatory No. 3 to the extent it seeks “all Evidence”
4 on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to
5 lead to the discovery of admissible evidence.

6 Subject to and without waiving the objections stated above, Toshiba Corp. denies ever
7 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
8 and/or allocate market share of CRTs. Regarding its response to Interrogatory No. 2 and the
9 evidence regarding Toshiba Corp.’s exit from the CRT market, Toshiba Corp. refers Plaintiffs
10 to evidence either provided in this litigation or that is publicly available, including but not
11 limited to: TSB-CRT-00018162; Toshiba Corporation, Form 10-K for the fiscal year ended
12 March 31, 2003, pp. 44, 54; Documents responsive to Interrogatory No. 7 to the Direct
13 Purchaser Plaintiffs’ First Set of Interrogatories; Transcript of Rule 30(b)(6) Deposition of
14 Toshiba Corp. at, *inter alia*, 64:20-65:2; 148:16-150:17, *In re: Cathode Ray Tube (CRT)*
15 *Antitrust Litig.*, Case No. 03:07-cv-05944-SC, MDL No. 1917 (N.D. Cal.), dated July 30,
16 2012; Transcript of Deposition of Shinichiro Tsuruta at 56:20-57:2; 57:13-16, *In re: Cathode*
17 *Ray Tube (CRT) Antitrust Litig.*, Case No. 03:07-cv-05944-SC, MDL No. 1917 (N.D. Cal.),
18 dated September 25-27, 2013; Transcript of Deposition of Yasuki Yamamoto at 76:5-76:19,
19 *In re: Cathode Ray Tube (CRT) Antitrust Litig.*, Case No. 03:07-cv-05944-SC, MDL No.
20 1917 (N.D. Cal.), dated July 1-3, 2013; Transcript of Deposition of Norio Fujita at 146:14-21,
21 *In re: Cathode Ray Tube (CRT) Antitrust Litig.*, Case No. 03:07-cv-05944-SC, MDL No.
22 1917 (N.D. Cal.), dated June 4-6, 2014; Transcript of Rule 30(b)(6) Deposition of Toshiba
23 America Electronic Components, Inc. at 170:10-15, *In re: Cathode Ray Tube (CRT) Antitrust*
24 *Litig.*, Case No. 03:07-cv-05944-SC, MDL No. 1917 (N.D. Cal.), dated July 31, 2012; and
25 Transcript of Rule 30(b)(6) Deposition of MT Picture Display Co., Ltd., Panasonic
26 Corporation, and Panasonic Corporation of North America at 33:12-35:12; 42:23-44:7, *In re:*
27 *Cathode Ray Tube (CRT) Antitrust Litig.*, Case No. 03:07-cv-05944-SC, MDL No. 1917
28 (N.D. Cal.), dated July 13, 2012.

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1 Discovery is ongoing. Toshiba Corp. reserves the right to supplement, amend, expand,
 2 correct, or clarify these objections and response to this Interrogatory and to assert additional
 3 general and specifics objections arising from matters discovered during the course of the
 4 litigation.

5 **INTERROGATORY NO. 5:**

6 Indicate whether You were notified at any time by any co-conspirator of any co-
 7 conspirator's intent to withdraw from the CRT Conspiracy?

8 **RESPONSE:**

9 In addition to its General Objections listed above, Toshiba Corp. objects to
 10 Interrogatory No. 5 because it is vague, overly broad, unduly burdensome, and seeks
 11 information that is neither relevant nor reasonably calculated to lead to the discovery of
 12 admissible evidence.

13 Toshiba Corp. also objects to the term "CRT Conspiracy" because it is vague,
 14 ambiguous, overly broad, unduly burdensome, and seeks information that is neither relevant
 15 nor reasonably calculated to lead to the discovery of admissible evidence.

16 Toshiba Corp. further objects to the term "co-conspirator" because it is vague,
 17 ambiguous, overly broad, unduly burdensome, and seeks information that is neither relevant
 18 nor reasonably calculated to lead to the discovery of admissible evidence.

19 Toshiba Corp. further objects to Interrogatory No. 5 to the extent that it assumes
 20 Toshiba Corp. engaged in a conspiracy.

21 Subject to and without waiving the objections stated above, Toshiba Corp. denies ever
 22 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
 23 and/or allocate market share of CRTs.

24 **INTERROGATORY NO. 6:**

25 If Your answer to Interrogatory No. 5 above, is in the affirmative, describe all
 26 communication(s) between You and any person(s) regarding any co-conspirator's intent to
 27 withdraw from the conspiracy, and identify all Evidence regarding such communications.
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CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. also objects to the term “co-conspirator” because it is vague, ambiguous, overly broad, unduly burdensome and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. further objects to Interrogatory No. 6 to the extent that it assumes Toshiba Corp. engaged in a conspiracy.

Subject to and without waiving the objections stated above, Toshiba Corp. denies ever participating in any conspiracy to fix prices, limit production or capacity, allocate customers, and/or allocate market share of CRTs.

INTERROGATORY NO. 7:

For each affirmative defense in your Answer, identify all Evidence supporting that defense, or state that the defense will no longer be asserted.

RESPONSE:

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 7 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. also objects to Interrogatory No. 7 to the extent it seeks “all Evidence” on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. further objects to Interrogatory No. 7 because requesting “all Evidence” for “each affirmative defense in your Answer” constitutes as more than one interrogatory under Rule 33(a)(1) of the Federal Rules of Civil Procedure.

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1 Toshiba Corp. further objects to Interrogatory No. 7 to the extent it calls for legal
2 conclusions.

3 Subject to and without waiving the objections stated above, Toshiba Corp. identifies
4 the affirmative defenses enumerated in its Answer to the Indirect Purchaser Plaintiffs'
5 Complaint (ECF No. 850), including, but not limited to, Toshiba Corp.'s sixth, thirteenth,
6 fourteenth, fifteenth, twenty-first, thirty-first, thirty-second, thirty-seventh, fifty-sixth, sixty-
7 ninth, and eighty-seventh defenses.

8 Toshiba Corp. takes no position at this time as to whether any of the Plaintiffs' claims
9 against Toshiba Corp. are barred, in whole or in part, by Toshiba Corp.'s sixth, thirteenth,
10 fourteenth, fifteenth, twenty-first, fifty-sixth, sixty-ninth, and eighty-seventh defenses.

11 Toshiba Corp. takes no position at this time as to whether any of the Plaintiffs' claims
12 against Toshiba Corp. are barred, in whole or in part, by Toshiba Corp.'s thirty-first and
13 thirty-second defenses. Toshiba Corp. reserves the right to develop these defenses should
14 parties to this litigation reach settlement agreements.

15 Regarding Toshiba Corp.'s thirty-seventh defense, Toshiba Corp. refers Plaintiffs to
16 evidence provided in this litigation, including but not limited to: TSB-CRT-00018162 and
17 Transcript of Rule 30(b)(6) Deposition of Toshiba Corp. at, *inter alia*, 64:20-65:2, *In re:*
18 *Cathode Ray Tube (CRT) Antitrust Litig.*, Case No. 03:07-cv-05944-SC, MDL No. 1917
19 (N.D. Cal.), dated July 30, 2012.

20 Discovery is ongoing. Toshiba Corp. reserves the right to supplement, amend,
21 expand, correct, or clarify these objections and responses to this Interrogatory and to assert
22 additional general and specifics objections arising from matters discovered during the course
23 of the litigation.

24 **INTERROGATORY NO. 8:**

25 For each year during the Class Period, state by year how many CRTs (in both number
26 of units and revenue in U.S. dollars) that You: (a) billed to and shipped to the United States;
27 (b) billed to an address in the United States, but shipped to a location outside of the United
28

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1 States; (c) shipped to an address in the United States, but billed to a location outside of the
 2 United States; and (d) shipped and billed to a location outside of the United States.

3 **RESPONSE:**

4 In addition to its General Objections listed above, Toshiba Corp. objects to
 5 Interrogatory No. 8 because it is vague, overly broad, unduly burdensome, and seeks
 6 information that is neither relevant nor reasonably calculated to lead to the discovery of
 7 admissible evidence.

8 Toshiba Corp. further objects to Interrogatory No. 8 to the extent that it seeks
 9 information regarding sales outside the United States and unrelated to United States
 10 commerce, as such sales are beyond the scope of this litigation and requesting such
 11 information renders Interrogatory No. 8 overly broad, unduly burdensome, and not reasonably
 12 calculated to lead to the discovery of admissible evidence.

13 Toshiba Corp. further objects to Interrogatory No. 8 on the ground that it is duplicative
 14 of discovery served in this litigation, which is in contravention of the Discovery Protocol,
 15 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
 16 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
 17 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
 18 Set of Interrogatories.

19 Subject to and without waiving the objections stated above, with regard to CRTs it
 20 sold, Toshiba Corp. refers Plaintiffs to documents previously produced by Toshiba Corp. in
 21 this litigation, including but not limited to: TSB-CRT-00061306; TSB-CRT-00061307; TSB-
 22 CRT-00061308; TSB-CRT-00061309; TSB-CRT-00061310; TSB-CRT-00061311; TSB-
 23 CRT-00061312; TSB-CRT-00061313; TSB-CRT-00061314; TSB-CRT-00061315; TSB-
 24 CRT-00061316; and TSB-CRT-00061317.

25 **INTERROGATORY NO. 9:**

26 For each year during the Class Period, state by year how many CRT Products (in both
 27 number of units and revenue in U.S. dollars) that You: (a) billed to and shipped to the United
 28 States; (b) billed to an address in the United States, but shipped to a location outside of the

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1 United States;(c) shipped to an address in the United States, but billed to a location outside of
 2 the United States; and (d) shipped and billed to a location outside of the United States.

3 **RESPONSE:**

4 In addition to its General Objections listed above, Toshiba Corp. objects to
 5 Interrogatory No. 9 because it is vague, overly broad, unduly burdensome, and seeks
 6 information that is neither relevant nor reasonably calculated to lead to the discovery of
 7 admissible evidence.

8 Toshiba Corp. also objects to Interrogatory No. 9 to the extent that it seeks disclosure
 9 of documents or information that is not within Toshiba Corp.'s possession, custody, or
 10 control.

11 Toshiba Corp. further objects to Interrogatory No. 9 to the extent that it seeks
 12 information regarding sales outside the United States and unrelated to United States
 13 commerce, as such sales are beyond the scope of this litigation and requesting such
 14 information renders Interrogatory No. 9 overly broad, unduly burdensome, and not reasonably
 15 calculated to lead to the discovery of admissible evidence.

16 Subject to and without waiving the objections stated above, Toshiba Corp. refers
 17 Plaintiffs to documents and information previously produced by Toshiba Corp. in this
 18 litigation in response to Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for
 19 Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second
 20 Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
 21 Plaintiffs' First Set of Interrogatories.

22 **INTERROGATORY NO. 10:**

23 For each year during the Class Period, state by year how many CRTs (in both number
 24 of units and revenue in U.S. dollars) that You shipped to and/or billed to an electronic
 25 manufacturing service, original design manufacturer, or system integrator for integration into
 26 CRT Products to be sold in the United States.

27
 28
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CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. also objects to Interrogatory No. 10 to the extent that it seeks disclosure of documents or information that is not within Toshiba Corp.'s possession, custody, or control.

Toshiba Corp. objects to the terms "electronic manufacturing service," "original design manufacturer," and "system integrator" because they are vague, overbroad, and unduly burdensome.

Toshiba Corp. also objects to Interrogatory No. 10 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 10 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. further objects to Interrogatory No. 10 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

Subject to and without waiving the objections stated above, with regard to CRTs it sold, Toshiba Corp. refers Plaintiffs to its Response to Interrogatory No. 8.

INTERROGATORY NO. 11:

For each year during the Class Period, state by year Your total worldwide dollar amount of sales of CRTs, both in the aggregate and by size of the CRT.

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In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. also objects to Interrogatory No. 11 because it prematurely seeks expert opinion.

Toshiba Corp. also objects to Interrogatory No. 11 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 11 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. further objects to Interrogatory No. 11 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

Subject to and without waiving the objections stated above, with regard to CRTs it sold, Toshiba Corp. refers Plaintiffs to its Response to Interrogatory No. 8.

INTERROGATORY NO. 12:

For each year during the Class Period, state by year Your total worldwide dollar amount of sales of CRTs, by size and by country of destination.

RESPONSE:

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

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1 Toshiba Corp. also objects to Interrogatory No. 12 because it prematurely seeks expert
2 opinion.

3 Toshiba Corp. also objects to Interrogatory No. 12 to the extent that it seeks
4 information regarding sales outside the United States and unrelated to United States
5 commerce, as such sales are beyond the scope of this litigation and requesting such
6 information renders Interrogatory No. 12 overly broad, unduly burdensome, and not
7 reasonably calculated to lead to the discovery of admissible evidence.

8 Toshiba Corp. further objects to Interrogatory No. 12 on the ground that it is
9 duplicative of discovery served in this litigation, which is in contravention of the Discovery
10 Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for
11 Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second
12 Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
13 Plaintiffs' First Set of Interrogatories.

14 Subject to and without waiving the objections stated above, with regard to CRTs it
15 sold, Toshiba Corp. refers Plaintiffs to its Response to Interrogatory No. 8.

16 **INTERROGATORY NO. 13:**

17 For each year during the Class Period, state by year Your total worldwide dollar
18 amount of sales of CRT Products, both in the aggregate and by the size and type of CRT
19 Product.

20 **RESPONSE:**

21 In addition to its General Objections listed above, Toshiba Corp. objects to
22 Interrogatory No. 13 because it is vague, overly broad, unduly burdensome, and seeks
23 information that is neither relevant nor reasonably calculated to lead to the discovery of
24 admissible evidence.

25 Toshiba Corp. also objects to Interrogatory No. 13 because it prematurely seeks expert
26 opinion.

27 Toshiba Corp. further objects to Interrogatory No. 13 to the extent that it seeks
28 information regarding sales outside the United States and unrelated to United States

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1 commerce, as such sales are beyond the scope of this litigation and requesting such
2 information renders Interrogatory No. 13 overly broad, unduly burdensome, and not
3 reasonably calculated to lead to the discovery of admissible evidence.

4 Subject to and without waiving the objections stated above, Toshiba Corp. refers
5 Plaintiffs to documents and information previously produced by Toshiba Corp. in this
6 litigation in response to Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for
7 Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second
8 Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
9 Plaintiffs' First Set of Interrogatories.

10 **INTERROGATORY NO. 14:**

11 For each year during the Class Period, state by year Your total dollar amount of sales
12 of CRT Products by the size and type of CRT Products sold and by country of destination.

13 **RESPONSE:**

14 In addition to its General Objections listed above, Toshiba Corp. objects to
15 Interrogatory No. 14 because it is vague, overly broad, unduly burdensome, and seeks
16 information that is neither relevant nor reasonably calculated to lead to the discovery of
17 admissible evidence.

18 Toshiba Corp. also objects to Interrogatory No. 14 because it prematurely seeks expert
19 opinion.

20 Toshiba Corp. further objects to Interrogatory No. 14 to the extent that it seeks
21 information regarding sales outside the United States and unrelated to United States
22 commerce, as such sales are beyond the scope of this litigation and requesting such
23 information renders Interrogatory No. 14 overly broad, unduly burdensome, and not
24 reasonably calculated to lead to the discovery of admissible evidence.

25 Subject to and without waiving the objections stated above, Toshiba Corp. refers
26 Plaintiffs to documents and information previously produced by Toshiba Corp. in this
27 litigation in response to Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for
28 Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second

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1 Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
2 Plaintiffs' First Set of Interrogatories.

3 **INTERROGATORY NO. 15:**

4 For each year during the Class Period, state by year Your dollar amount of sales of
5 CRTs in the United States, both in the aggregate and by size of the CRT.

6 **RESPONSE:**

7 In addition to its General Objections listed above, Toshiba Corp. objects to
8 Interrogatory No. 15 because it is vague, overly broad, unduly burdensome, and seeks
9 information that is neither relevant nor reasonably calculated to lead to the discovery of
10 admissible evidence.

11 Toshiba Corp. also objects to Interrogatory No. 15 because it prematurely seeks expert
12 opinion.

13 Toshiba Corp. further objects to Interrogatory No. 15 on the ground that it is
14 duplicative of discovery served in this litigation, which is in contravention of the Discovery
15 Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for
16 Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second
17 Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
18 Plaintiffs' First Set of Interrogatories.

19 Subject to and without waiving the objections stated above, with regard to CRTs it
20 sold, Toshiba Corp. refers Plaintiffs to its Response to Interrogatory No. 8.

21 **INTERROGATORY NO. 16:**

22 For each year during the Class Period, state by year Your dollar amount of sales of
23 CRT Products in the United States, both in the aggregate and by the size and type of the CRT
24 Product.

25 **RESPONSE:**

26 In addition to its General Objections listed above, Toshiba Corp. objects to
27 Interrogatory No. 16 because it is vague, overly broad, unduly burdensome, and seeks
28

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1 information that is neither relevant nor reasonably calculated to lead to the discovery of
2 admissible evidence.

3 Toshiba Corp. also objects to Interrogatory No. 16 because it prematurely seeks expert
4 opinion.

5 Toshiba Corp. further objects to Interrogatory No. 16 to the extent that it seeks
6 disclosure of documents or information that is not within Toshiba Corp.'s possession,
7 custody, or control.

8 Subject to and without waiving the objections stated above, Toshiba Corp. refers
9 Plaintiffs to documents and information previously produced by Toshiba Corp. in this
10 litigation in response to Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for
11 Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second
12 Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
13 Plaintiffs' First Set of Interrogatories.

14 **INTERROGATORY NO. 17:**

15 For the sales of CRT Products identified in Interrogatory No. 16, state the value of the
16 CRT included in the CRT Product sales price.

17 **RESPONSE:**

18 In addition to its General Objections listed above, Toshiba Corp. objects to
19 Interrogatory No. 17 because it is vague, overly broad, unduly burdensome, and seeks
20 information that is neither relevant nor reasonably calculated to lead to the discovery of
21 admissible evidence.

22 Toshiba Corp. further objects to Interrogatory No. 17 to the extent it seeks the
23 disclosure of documents or information that is not within Toshiba Corp.'s possession,
24 custody, or control.

25 Toshiba Corp. also objects to Interrogatory No. 17 because it prematurely seeks expert
26 opinion.

27 Toshiba Corp. further objects to Interrogatory No. 17 pursuant to Rule 33(a)(1), which
28 limits the number of interrogatories that may be served by one party on another party to 25

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(twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 18:

For each year during the Class Period, state by year Your sales of CRTs to any other Defendant by size and by country of destination.

RESPONSE:

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 18 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. further objects to Interrogatory No. 18 to the extent that it seeks disclosure of documents or information that is not within Toshiba Corp.'s possession, custody, or control.

Toshiba Corp. also objects to Interrogatory No. 18 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 18 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. further objects to Interrogatory No. 18 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

Toshiba Corp. further objects to Interrogatory No. 18 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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CONFIDENTIAL**INTERROGATORY NO. 19:**

For each year during the Class Period, state by year Your sales of CRT Products to any other Defendant by the size and type of CRT Products sold and by country of destination.

RESPONSE:

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 19 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. further objects to Interrogatory No. 19 to the extent that it seeks disclosure of documents or information that is not within Toshiba Corp.'s possession, custody, or control.

Toshiba Corp. further objects to Interrogatory No. 19 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 19 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. further objects to Interrogatory No. 19 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

Toshiba Corp. further objects to Interrogatory No. 19 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1)

CONFIDENTIAL**INTERROGATORY NO. 20:**

For each year during the Class Period, state in U.S. dollars and by year Your business profits and losses realized from sales of CRTs by size and by country of destination, and Your profits and losses for Your business as a whole.

RESPONSE:

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 20 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. also objects to Interrogatory No. 20 because it prematurely seeks expert opinion.

Toshiba Corp. further objects to Interrogatory No. 20 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 20 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. further objects to Interrogatory No. 20 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, 16, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

Toshiba Corp. further objects to Interrogatory No. 20 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 21:

For each year during the Class Period, state in U.S. dollars and by year Your business

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1 profits and losses realized from sales of CRT Products by size and type of CRT Products sold
2 and by country of destination, and Your profits and losses for Your business as a whole.

3 **RESPONSE:**

4 In addition to its General Objections listed above, Toshiba Corp. objects to
5 Interrogatory No. 21 because it is vague, overly broad, unduly burdensome, and seeks
6 information that is neither relevant nor reasonably calculated to lead to the discovery of
7 admissible evidence.

8 Toshiba Corp. also objects to Interrogatory No. 21 to the extent that it seeks disclosure
9 of documents or information that is not within Toshiba Corp.'s possession, custody, or
10 control.

11 Toshiba Corp. further objects to Interrogatory No. 21 to the extent that it seeks
12 information regarding sales outside the United States and unrelated to United States
13 commerce, as such sales are beyond the scope of this litigation and requesting such
14 information renders Interrogatory No. 21 overly broad, unduly burdensome, and not
15 reasonably calculated to lead to the discovery of admissible evidence.

16 Toshiba Corp. further objects to Interrogatory No. 21 on the ground that it is
17 duplicative of discovery served in this litigation, which is in contravention of the Discovery
18 Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for
19 Production of Documents; Request Nos. 5, 9, 16, and 22 of Direct Purchaser Plaintiffs'
20 Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct
21 Purchaser Plaintiffs' First Set of Interrogatories.

22 Toshiba Corp. further objects to Interrogatory No. 21 pursuant to Rule 33(a)(1), which
23 limits the number of interrogatories that may be served by one party on another party to 25
24 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
25 interrogatory limit of Rule 33(a)(1).

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CONFIDENTIAL**INTERROGATORY NO. 22:**

To the extent that You contend that prior to November 2007 Plaintiffs knew, should have known, or were not reasonably diligent in discovery regarding the allegations in their Complaint, identify all Evidence upon which You intend to rely to prove such contention.

RESPONSE:

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 22 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. further objects to Interrogatory No. 22 to the extent it seeks information which is equally accessible to Plaintiffs as to Toshiba Corp., or which has already been produced by Toshiba Corp. or by other parties in this litigation.

Toshiba Corp. further objects to Interrogatory No. 22 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol.

Toshiba Corp. further objects to Interrogatory No. 22 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 23:

To the extent that You contend that You provided false information, or false commitments relating to pricing or production of CRTs to competitors at Glass Meetings or Bilateral Meetings with those competitors, identify each instance that you provided false information or a false commitment and any Evidence related to it.

RESPONSE:

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 23 because it is vague, overly broad, unduly burdensome, and seeks

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1 information that is neither relevant nor reasonably calculated to lead to the discovery of
2 admissible evidence.

3 Toshiba Corp. further objects to the terms “Glass Meetings” and Bilateral Meetings”
4 because they are vague, overly broad, unduly burdensome and seeks information that is
5 neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

6 Toshiba Corp. further objects to the term “competitors” because it is vague, overly
7 broad, unduly burdensome, and seeks information that is neither relevant nor reasonably
8 calculated to lead to the discovery of admissible evidence.

9 Toshiba Corp. further objects to Interrogatory No. 23 to the extent that it assumes
10 Toshiba Corp. engaged in a conspiracy.

11 Toshiba Corp. further objects to Interrogatory No. 23 pursuant to Rule 33(a)(1), which
12 limits the number of interrogatories that may be served by one party on another party to 25
13 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
14 interrogatory limit of Rule 33(a)(1).

15 **INTERROGATORY NO. 24:**

16 To the extent that you contend that a competitor provided false information or a false
17 commitment relating to pricing or production of CRTs to You at Glass Meetings or Bilateral
18 Meetings, identify each instance, where such false information or false commitment was
19 provided to You and any Evidence related to it.

20 **RESPONSE:**

21 In addition to its General Objections listed above, Toshiba Corp. objects to
22 Interrogatory No. 24 because it is vague, overly broad, unduly burdensome, and seeks
23 information that is neither relevant nor reasonably calculated to lead to the discovery of
24 admissible evidence.

25 Toshiba Corp. further objects to the terms “Glass Meetings” and Bilateral Meetings”
26 because they are vague, overly broad, unduly burdensome and seeks information that is
27 neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.
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1 Toshiba Corp. further objects to the term “competitors” because it is vague, overly
 2 broad, unduly burdensome, and seeks information that is neither relevant nor reasonably
 3 calculated to lead to the discovery of admissible evidence.

4 Toshiba Corp. further objects to Interrogatory No. 24 to the extent that it assumes
 5 Toshiba Corp. engaged in a conspiracy.

6 Toshiba Corp. further objects to Interrogatory No. 24 pursuant to Rule 33(a)(1), which
 7 limits the number of interrogatories that may be served by one party on another party to 25
 8 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 9 interrogatory limit of Rule 33(a)(1).

10 **INTERROGATORY NO. 25:**

11 If Your response to any of the Indirect Purchaser Plaintiffs’ First Set of Requests for
 12 Admission was anything other than an unqualified admission, separately for each Request for
 13 Admission:

14 (a) state the number of the request for admission;

15 (b) state all facts upon which You base Your response;

16 (c) identify all Evidence upon which You intend to rely to support your response; and

17 (d) identify each person who has knowledge of the facts upon which you base your
 18 response

19 **RESPONSE:**

20 In addition to its General Objections listed above, Toshiba Corp. objects to
 21 Interrogatory No. 25 because it is vague, overly broad, unduly burdensome and oppressive,
 22 and seeks information that is not reasonably calculated to lead to the discovery of
 23 admissible evidence.

24 Toshiba Corp. also objects to Interrogatory No. 25 to the extent that it seeks the
 25 disclosure of information that is not within Toshiba Corp.’s possession, custody, or control
 26 and because any such information is equally accessible to the Plaintiffs as to Toshiba Corp.

27 Toshiba Corp. further objects to Interrogatory No. 25 pursuant to Rule 33(a)(1), which
 28 limits the number of interrogatories that may be served by one party on another party to 25

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(twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

Dated: September 5, 2014

WHITE & CASE^{LLP}

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Toshiba Corporation

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Washington, DC 20005

CONFIDENTIAL**CERTIFICATE OF SERVICE**

On September 5, 2014, I caused a copy of the "TOSHIBA CORPORATION'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANTS" to be served via e-mail upon:

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Washington, DC 20005

TOSHIBA CORPORATION'S OBJECTIONS AND RESPONSES
TO INDIRECT-PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANTS

Case No. 07-5944 SC
MDL No. 1917

Exhibit 4-B

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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 (SAN FRANCISCO DIVISION)

17 IN RE: CATHODE RAY TUBE (CRT)
18 ANTITRUST LITIGATION

19 Case No. 07-5944 SC
20 MDL No. 1917

21 This Document Relates to:

22 ALL INDIRECT-PURCHASER ACTIONS

23 **TOSHIBA AMERICA, INC.'S**
24 **OBJECTIONS AND RESPONSES**
25 **TO INDIRECT-PURCHASER**
26 **PLAINTIFFS' FIRST SET OF**
27 **INTERROGATORIES TO**
28 **DEFENDANTS**

TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES
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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's
2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court
3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America,
4 Inc. ("TAI") hereby submits the following Objections and Responses to Indirect Purchaser
5 Plaintiffs' First Set of Interrogatories to Defendants, dated August 1, 2014 (the
6 "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the
8 above caption. Each response is subject to all objections as to relevance, materiality and
9 admissibility, and to any and all objections on any ground that would require exclusion of any
10 response if it were introduced in court. All evidentiary objections and grounds are expressly
11 reserved.

12 Each of the following responses is made on the basis of the information available at
13 the time of service of the responses. TAI's responses to these Interrogatories are subject to
14 the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the
15 "Protective Order"). TAI's responses are hereby designated "Confidential" in accordance
16 with the provisions of the Protective Order.

GENERAL OBJECTIONS

17
18 1. TAI objects to the Interrogatories, including the Definitions and Instructions
19 provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case
20 Management Protocol, Docket number 1128 in the MDL.

21 2. TAI objects to the Interrogatories, including the Definitions and Instructions
22 provided therein, to the extent they purport to impose obligations beyond those required or
23 permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil
24 Proceedings before the United States District Court for the Northern District of California or
25 to the extent it is outside the scope of any order or opinion of this Court.

26 3. TAI objects to the Interrogatories, including the Definitions and Instructions
27 provided therein, to the extent they call for the production of documents or information that
28 relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably
2 calculated to lead to the discovery of admissible evidence.

3 4. TAI objects to the Interrogatories, including the Definitions and Instructions
4 provided therein, to the extent they are overly broad, unduly burdensome, vague, or
5 ambiguous. TAI further objects to the Interrogatories, including the Definitions and
6 Instructions provided therein, to the extent they purport to seek discovery of information from
7 disaster recovery systems and archives.

8 5. TAI objects to the Interrogatories, including the Definitions and Instructions
9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TAI objects to the Interrogatories, including the Definitions and Instructions
11 provided therein, to the extent they call for publicly available information.

12 7. TAI objects to the Interrogatories, including the Definitions and Instructions
13 provided therein, to the extent they seek information or documents protected by the attorney-
14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,
15 immunity, or rule (collectively, "Privileged Information"). TAI will not disclose any
16 Privileged Information in response to any Interrogatory. TAI does not intend by these
17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent
18 production of such material or information is not intended to, and shall not, constitute a
19 general or specific waiver in whole or in part of those privileges or protections as to material
20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent
21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such
22 document or information.

23 8. TAI objects to the Interrogatories, including the Definitions and Instructions
24 provided therein, to the extent they seek information, the disclosure of which would violate
25 applicable law, including, but not limited to, privacy laws. In providing any response, TAI
26 does so only to the extent allowable under applicable law.

27 9. TAI objects to the Interrogatories, including the Definitions and Instructions
28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1 10. TAI objects to the Interrogatories, including the Definitions and Instructions
2 provided therein, to the extent they seek documents or information, the disclosure of which is
3 prohibited by contractual obligations or agreements between TAI and third parties.

4 11. TAI objects to the Interrogatories, including the Definitions and Instructions
5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of
6 the costs imposed on TAI weighed against the Plaintiffs' need for the information.

7 12. TAI objects to the Interrogatories, including the Definitions and Instructions
8 provided therein, to the extent they seek disclosure of documents or information not
9 reasonably accessible to TAI.

10 13. TAI objects to the Interrogatories, including the Definitions and Instructions
11 provided therein, to the extent they seek information which is equally accessible to Plaintiffs
12 as to TAI, or which has already been produced by other parties.

13 14. TAI objects to the Interrogatories, including the Definitions and Instructions
14 provided therein, to the extent they seek information, the disclosure of which is prohibited by
15 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the
16 documents or information are located.

17 15. TAI objects to the Interrogatories, including the Definitions and Instructions
18 provided therein, to the extent they seek disclosure of documents or information that is not
19 within TAI's possession, custody, or control.

20 16. TAI objects to the Interrogatories, including the Definitions and Instructions
21 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or
22 Document Requests.

23 17. TAI objects to the Interrogatories pursuant to Civil L.R. 33-2, which states that
24 "a demand that a party set forth the basis for a denial of an admission requested under Fed. R.
25 Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is allowable
26 only to the extent that a party is entitled to propound additional interrogatories."

27 18. TAI objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the
28 number of interrogatories that may be served by one party on another party to 25 (twenty-

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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
2 of Rule 33(a)(1).

3 19. TAI's response to the Interrogatories is not intended to be, and shall not be
4 construed as, an agreement or concurrence by TAI with the Plaintiffs' characterization of any
5 facts, circumstances, or legal obligations. TAI reserves the right to contest any such
6 characterization. TAI further objects to the Interrogatories to the extent they contain express
7 or implied assumptions of fact or law with respect to matters at issue in the case.

8 20. TAI objects to the Interrogatories, including the Definitions and Instructions
9 provided herein, to the extent they seek the discovery of information regarding TAI's sales
10 outside the United States and unrelated to United States commerce, as such sales are beyond
11 the scope of this litigation and production of such information would render these
12 interrogatories overly broad, unduly burdensome and not reasonably calculated to lead to the
13 discovery of admissible evidence. TAI also objects to the Interrogatories to the extent they
14 seek discovery of information that is beyond the scope of the Sherman Antitrust Act, 15
15 U.S.C. § 1. TAI will only produce responsive, non-privileged information and documents that
16 relate to TAI's sales, if any, of CRTs or CRT Products that are shipped to the United States or
17 that related to activity with a direct, substantial and reasonably foreseeable effect on U.S.
18 commerce and that can be located through a reasonable search.

19 21. TAI objects to the Interrogatories on the basis that Plaintiffs bear the burden of
20 proof to establish standing; TAI has no obligations to disprove standing and cannot be
21 compelled to disprove it.

22 22. TAI objects to the Interrogatories to the extent that the Interrogatories intend to
23 imply that TAI bears the burden of proof for each of the defenses cited in its Answer.

24 23. TAI objects to the defined terms "Bilateral Meeting," "Communication,"
25 "Employee," "Evidence," "Glass Meeting," "Law Enforcement Agents," and "Meeting"
26 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated
27 to lead to the discovery of admissible evidence.

28
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1 24. TAI objects to the defined term “Defendant” because the incorporation of any
2 or all of the terms “present or former directors, officers, employees, agents, representatives, or
3 any persons acting or purporting to act on behalf of the defendant” into the definition renders
4 each Interrogatory incorporating any of the defined terms overly broad and unduly
5 burdensome, as they call for information that is not relevant to the claim or defense or any
6 party, not relevant to the subject matter involved in this action and not reasonably calculated
7 to lead to the discovery of admissible evidence, and because they improperly purport to seek
8 information from distinct persons not parties to the case and not controlled by TAI.

9 25. TAI objects to the defined term “Document” as vague, ambiguous, overly
10 broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible
11 evidence and inconsistent with the definition in Rule 34(a)(1)(A) of the Federal Rules of Civil
12 Procedure. TAI further objects to this definition on the ground that it seeks original
13 documents or purports to require the production of documents in a specified medium or
14 format, including to the extent it purports to impose obligations on TAI beyond those required
15 by the Production of Electronically Stored Information (“ESI”), Docket No. 828 in the MDL.

16 26. TAI objects to the defined terms “You” and “Your” because they are vague,
17 overly broad, and unduly burdensome, because they include entities not controlled by TAI,
18 because they seek information that is neither relevant nor reasonably calculated to lead to the
19 discovery of admissible information, and, in addition, because they improperly purport to seek
20 information from distinct corporate entities and persons not parties to the case and not
21 controlled by TAI. TAI further objects to the definitions of “You” and “Your” because the
22 incorporation of any or all of the terms “subsidiaries,” “departments,” “divisions,” “affiliates,”
23 “employees,” “agents,” or “representatives” into the definitions renders the Interrogatories
24 overly broad and unduly burdensome because it calls for information that is not relevant to the
25 claim or defense of any party, because it is not relevant to the subject matter involved in this
26 action, because it is not reasonably calculated to lead to the discovery of admissible evidence,
27 and because it improperly purports to seek information from entities that are neither parties to
28 the case, nor controlled by TAI.

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27. TAI objects to the defined term “Class Period” to the extent that it exceeds the “Class Period” defined in the Complaints, because it is overly broad, unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. TAI also objects to the definition of “Class Period” because it is well beyond the relevant statute of limitations. TAI further objects to the term “Class Period” to the extent that it seeks documents created after this litigation began. For the purposes of responding to these Interrogatories, TAI will interpret the term “Class Period” as referring to the “Class Period” defined in the Complaints, which is March 1, 1995 to November 25, 2007.

28. Discovery is ongoing. This response is being made after reasonable inquiry into the relevant facts, and is based upon the information presently known to TAI. Further investigation and discovery may result in the identification of additional information or contentions, and TAI expressly reserves all rights to amend its responses and objections to Indirect Purchaser Plaintiffs’ First Set of Interrogatories as necessary. TAI’s responses should not be construed to prejudice its right to conduct further investigation in this case, or to limit TAI’s use of any additional evidence that may be developed.

OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES

INTERROGATORY NO. 1:

Have You ever participated in any conspiracy to fix prices, limit production or capacity, allocate customers and/or allocate market share of CRTs?

RESPONSE:

In addition to its General Objections listed above, TAI objects to Interrogatory No. 1 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the objections stated above, TAI denies ever participating in any conspiracy to fix prices, limit production or capacity, allocate customers, and/or allocate market share of CRTs.

INTERROGATORY NO. 2:

If You contend that You withdrew from any CRT Conspiracy, state:

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- 1 (a) Why You withdrew from the conspiracy;
 2 (b) What specific acts You took to withdraw from the CRT Conspiracy;
 3 (c) Any co-conspirators or Law Enforcement Agents to whom You communicated
 4 Your withdrawal; and
 5 (d) Who withdrew from the CRT Conspiracy on your behalf

RESPONSE:

7 In addition to its General Objections listed above, TAI objects to Interrogatory No. 2
 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAI also objects to the term "CRT Conspiracy" because it is vague, ambiguous, overly
 11 broad, unduly burdensome and seeks information that is neither relevant nor reasonably
 12 calculated to lead to the discovery of admissible evidence.

13 Subject to and without waiving the objections stated above, TAI denies ever
 14 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
 15 and/or allocate market share of CRTs.

INTERROGATORY NO. 3:

17 If Your answer to Interrogatory No. 2, above, is in the affirmative, identify all
 18 Evidence upon which You intend to rely to prove such contention.

RESPONSE:

20 In addition to its General Objections listed above, TAI objects to Interrogatory No. 3
 21 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 22 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

23 TAI also objects to Interrogatory No. 3 to the extent it seeks "all Evidence" on the
 24 grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to
 25 the discovery of admissible evidence.

26 Subject to and without waiving the objections stated above, TAI denies ever
 27 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
 28 and/or allocate market share of CRTs.

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CONFIDENTIAL**INTERROGATORY NO. 5:**

Indicate whether You were notified at any time by any co-conspirator of any co-conspirator's intent to withdraw from the CRT Conspiracy?

RESPONSE:

In addition to its General Objections listed above, TAI objects to Interrogatory No. 5 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to the term "CRT Conspiracy" because it is vague, ambiguous, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI further objects to the term "co-conspirator" because it is vague, ambiguous, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI further objects to Interrogatory No. 5 to the extent that it assumes TAI engaged in a conspiracy.

Subject to and without waiving the objections stated above, TAI denies ever participating in any conspiracy to fix prices, limit production or capacity, allocate customers, and/or allocate market share of CRTs.

INTERROGATORY NO. 6:

If Your answer to Interrogatory No. 5 above, is in the affirmative, describe all communication(s) between You and any person(s) regarding any co-conspirator's intent to withdraw from the conspiracy, and identify all Evidence regarding such communications.

RESPONSE:

In addition to its General Objections listed above, TAI objects to Interrogatory No. 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

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1 TAI also objects to the term “co-conspirator” because it is vague, ambiguous, overly
2 broad, unduly burdensome and seeks information that is neither relevant nor reasonably
3 calculated to lead to the discovery of admissible evidence.

4 TAI further objects to Interrogatory No. 6 to the extent that it assumes TAI engaged in
5 a conspiracy.

6 Subject to and without waiving the objections stated above, TAI denies ever
7 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
8 and/or allocate market share of CRTs.

9 **INTERROGATORY NO. 7:**

10 For each affirmative defense in your Answer, identify all Evidence supporting that
11 defense, or state that the defense will no longer be asserted.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TAI objects to Interrogatory No. 7
14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TAI also objects to Interrogatory No. 7 to the extent it seeks “all Evidence” on the
17 grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to
18 the discovery of admissible evidence.

19 TAI further objects to Interrogatory No. 7 because requesting “all Evidence” for “each
20 affirmative defense in your Answer” constitutes as more than one interrogatory under Rule
21 33(a)(1) of the Federal Rules of Civil Procedure.

22 TAI further objects to Interrogatory No. 7 to the extent it calls for legal conclusions.

23 Subject to and without waiving the objections stated above, TAI identifies the
24 affirmative defenses enumerated in its Answer to the Indirect Purchaser Plaintiffs’ Complaint
25 (ECF No. 854), including, but not limited to, TAI’s sixth, thirteenth, fourteenth, fifteenth,
26 twenty-first, thirty-first, thirty-second, thirty-seventh, fifty-sixth, sixty-ninth, and eighty-
27 seventh defenses.

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TAI takes no position at this time as to whether any of the Plaintiffs' claims against TAI are barred, in whole or in part, by TAI's sixth, thirteenth, fourteenth, fifteenth, twenty-first, fifty-sixth, sixty-ninth, and eighty-seventh defenses.

TAI takes no position at this time as to whether any of the Plaintiffs' claims against TAI are barred, in whole or in part, by TAI's thirty-first and thirty-second defenses. TAI reserves the right to develop these defenses should parties to this litigation reach settlement agreements.

Regarding TAI's thirty-seventh defense, TAI refers Plaintiffs to evidence provided in this litigation, including but not limited to: TSB-CRT-00018162 and Transcript of Rule 30(b)(6) Deposition of Toshiba Corp. at, *inter alia*, 64:20-65:2, *In re: Cathode Ray Tube (CRT) Antitrust Litig.*, Case No. 03:07-cv-05944-SC, MDL No. 1917 (N.D. Cal.), dated July 30, 2012.

Discovery is ongoing. TAI reserves the right to supplement, amend, expand, correct, or clarify these objections and responses to this Interrogatory and to assert additional general and specifics objections arising from matters discovered during the course of the litigation.

INTERROGATORY NO. 8:

For each year during the Class Period, state by year how many CRTs (in both number of units and revenue in U.S. dollars) that You: (a) billed to and shipped to the United States; (b) billed to an address in the United States, but shipped to a location outside of the United States; (c) shipped to an address in the United States, but billed to a location outside of the United States; and (d) shipped and billed to a location outside of the United States.

RESPONSE:

In addition to its General Objections listed above, TAI objects to Interrogatory No. 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI further objects to Interrogatory No. 8 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders

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1 Interrogatory No. 8 overly broad, unduly burdensome, and not reasonably calculated to lead
2 to the discovery of admissible evidence.

3 TAI further objects to Interrogatory No. 8 on the ground that it is duplicative of
4 discovery served in this litigation, which is in contravention of the Discovery Protocol,
5 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
6 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
7 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
8 Set of Interrogatories.

9 Subject to and without waiving the objections stated above, TAI states that it did not
10 bill or ship CRTs during the relevant period.

11 **INTERROGATORY NO. 9:**

12 For each year during the Class Period, state by year how many CRT Products (in both
13 number of units and revenue in U.S. dollars) that You: (a) billed to and shipped to the United
14 States; (b) billed to an address in the United States, but shipped to a location outside of the
15 United States;(c) shipped to an address in the United States, but billed to a location outside of
16 the United States; and (d) shipped and billed to a location outside of the United States.

17 **RESPONSE:**

18 In addition to its General Objections listed above, TAI objects to Interrogatory No. 9
19 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
20 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

21 TAI also objects to Interrogatory No. 9 to the extent that it seeks disclosure of
22 documents or information that is not within TAI's possession, custody, or control.

23 TAI further objects to Interrogatory No. 9 to the extent that it seeks information
24 regarding sales outside the United States and unrelated to United States commerce, as such
25 sales are beyond the scope of this litigation and requesting such information renders
26 Interrogatory No. 9 overly broad, unduly burdensome, and not reasonably calculated to lead
27 to the discovery of admissible evidence.
28

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1 Subject to and without waiving the objections stated above, TAI states that it did not
2 bill or ship CRT Products during the relevant period.

3 **INTERROGATORY NO. 10:**

4 For each year during the Class Period, state by year how many CRTs (in both number
5 of units and revenue in U.S. dollars) that You shipped to and/or billed to an electronic
6 manufacturing service, original design manufacturer, or system integrator for integration into
7 CRT Products to be sold in the United States.

8 **RESPONSE:**

9 In addition to its General Objections listed above, TAI objects to Interrogatory No. 10
10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
11 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

12 TAI also objects to Interrogatory No. 10 to the extent that it seeks disclosure of
13 documents or information that is not within TAI's possession, custody, or control.

14 TAI objects to the terms "electronic manufacturing service," "original design
15 manufacturer," and "system integrator" because they are vague, overbroad, and unduly
16 burdensome.

17 TAI also objects to Interrogatory No. 10 to the extent that it seeks information
18 regarding sales outside the United States and unrelated to United States commerce, as such
19 sales are beyond the scope of this litigation and requesting such information renders
20 Interrogatory No. 10 overly broad, unduly burdensome, and not reasonably calculated to lead
21 to the discovery of admissible evidence.

22 TAI further objects to Interrogatory No. 10 on the ground that it is duplicative of
23 discovery served in this litigation, which is in contravention of the Discovery Protocol,
24 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
25 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
26 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
27 Set of Interrogatories.

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1 Subject to and without waiving the objections stated above, TAI states that it did not
2 bill or ship CRTs during the relevant period.

3 **INTERROGATORY NO. 11:**

4 For each year during the Class Period, state by year Your total worldwide dollar
5 amount of sales of CRTs, both in the aggregate and by size of the CRT.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAI objects to Interrogatory No. 11
8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAI also objects to Interrogatory No. 11 because it prematurely seeks expert opinion.

11 TAI also objects to Interrogatory No. 11 to the extent that it seeks information
12 regarding sales outside the United States and unrelated to United States commerce, as such
13 sales are beyond the scope of this litigation and requesting such information renders
14 Interrogatory No. 11 overly broad, unduly burdensome, and not reasonably calculated to lead
15 to the discovery of admissible evidence.

16 TAI further objects to Interrogatory No. 11 on the ground that it is duplicative of
17 discovery served in this litigation, which is in contravention of the Discovery Protocol,
18 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
19 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
20 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
21 Set of Interrogatories.

22 Subject to and without waiving the objections stated above, TAI states that it did not
23 sell CRTs during the relevant period.

24 **INTERROGATORY NO. 12:**

25 For each year during the Class Period, state by year Your total worldwide dollar
26 amount of sales of CRTs, by size and by country of destination.

27

28

CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, TAI objects to Interrogatory No. 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 12 because it prematurely seeks expert opinion.

TAI also objects to Interrogatory No. 12 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 12 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAI further objects to Interrogatory No. 12 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

Subject to and without waiving the objections stated above, TAI states that it did not sell CRTs during the relevant period.

INTERROGATORY NO. 13:

For each year during the Class Period, state by year Your total worldwide dollar amount of sales of CRT Products, both in the aggregate and by the size and type of CRT Product.

RESPONSE:

In addition to its General Objections listed above, TAI objects to Interrogatory No. 13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 13 because it prematurely seeks expert opinion.

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1 TAI further objects to Interrogatory No. 13 to the extent that it seeks information
2 regarding sales outside the United States and unrelated to United States commerce, as such
3 sales are beyond the scope of this litigation and requesting such information renders
4 Interrogatory No. 13 overly broad, unduly burdensome, and not reasonably calculated to lead
5 to the discovery of admissible evidence.

6 Subject to and without waiving the objections stated above, TAI states that it did not
7 sell CRT Products during the relevant period.

8 **INTERROGATORY NO. 14:**

9 For each year during the Class Period, state by year Your total dollar amount of sales
10 of CRT Products by the size and type of CRT Products sold and by country of destination.

11 **RESPONSE:**

12 In addition to its General Objections listed above, TAI objects to Interrogatory No. 14
13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
14 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

15 TAI also objects to Interrogatory No. 14 because it prematurely seeks expert opinion.

16 TAI further objects to Interrogatory No. 14 to the extent that it seeks information
17 regarding sales outside the United States and unrelated to United States commerce, as such
18 sales are beyond the scope of this litigation and requesting such information renders
19 Interrogatory No. 14 overly broad, unduly burdensome, and not reasonably calculated to lead
20 to the discovery of admissible evidence.

21 Subject to and without waiving the objections stated above, TAI states that it did not
22 sell CRT Products during the relevant period.

23 **INTERROGATORY NO. 15:**

24 For each year during the Class Period, state by year Your dollar amount of sales of
25 CRTs in the United States, both in the aggregate and by size of the CRT.

CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, TAI objects to Interrogatory No. 15 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 15 because it prematurely seeks expert opinion.

TAI further objects to Interrogatory No. 15 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

Subject to and without waiving the objections stated above, TAI states that it did not sell CRTs during the relevant period.

INTERROGATORY NO. 16:

For each year during the Class Period, state by year Your dollar amount of sales of CRT Products in the United States, both in the aggregate and by the size and type of the CRT Product.

RESPONSE:

In addition to its General Objections listed above, TAI objects to Interrogatory No. 16 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 16 because it prematurely seeks expert opinion.

TAI further objects to Interrogatory No. 16 to the extent that it seeks disclosure of documents or information that is not within TAI's possession, custody, or control.

Subject to and without waiving the objections stated above, TAI states that it did not sell CRT Products during the relevant period.

CONFIDENTIAL**INTERROGATORY NO. 17:**

For the sales of CRT Products identified in Interrogatory No. 16, state the value of the CRT included in the CRT Product sales price.

RESPONSE:

In addition to its General Objections listed above, TAI objects to Interrogatory No. 17 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI further objects to Interrogatory No. 17 to the extent it seeks the disclosure of documents or information that is not within TAI's possession, custody, or control.

TAI also objects to Interrogatory No. 17 because it prematurely seeks expert opinion.

TAI further objects to Interrogatory No. 17 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 18:

For each year during the Class Period, state by year Your sales of CRTs to any other Defendant by size and by country of destination.

RESPONSE:

In addition to its General Objections listed above, TAI objects to Interrogatory No. 18 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI further objects to Interrogatory No. 18 to the extent that it seeks disclosure of documents or information that is not within TAI's possession, custody, or control.

TAI also objects to Interrogatory No. 18 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 18 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

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TAI further objects to Interrogatory No. 18 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

TAI further objects to Interrogatory No. 18 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 19:

For each year during the Class Period, state by year Your sales of CRT Products to any other Defendant by the size and type of CRT Products sold and by country of destination.

RESPONSE:

In addition to its General Objections listed above, TAI objects to Interrogatory No. 19 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI further objects to Interrogatory No. 19 to the extent that it seeks disclosure of documents or information that is not within TAI's possession, custody, or control.

TAI further objects to Interrogatory No. 19 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 19 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAI further objects to Interrogatory No. 19 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests

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1 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
2 Set of Interrogatories.

3 TAI further objects to Interrogatory No. 19 pursuant to Rule 33(a)(1), which limits the
4 number of interrogatories that may be served by one party on another party to 25 (twenty-
5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 20:**

8 For each year during the Class Period, state in U.S. dollars and by year Your business
9 profits and losses realized from sales of CRTs by size and by country of destination, and Your
10 profits and losses for Your business as a whole.

11 **RESPONSE:**

12 In addition to its General Objections listed above, TAI objects to Interrogatory No. 20
13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
14 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

15 TAI also objects to Interrogatory No. 20 because it prematurely seeks expert opinion.

16 TAI further objects to Interrogatory No. 20 to the extent that it seeks information
17 regarding sales outside the United States and unrelated to United States commerce, as such
18 sales are beyond the scope of this litigation and requesting such information renders
19 Interrogatory No. 20 overly broad, unduly burdensome, and not reasonably calculated to lead
20 to the discovery of admissible evidence.

21 TAI further objects to Interrogatory No. 20 on the ground that it is duplicative of
22 discovery served in this litigation, which is in contravention of the Discovery Protocol,
23 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
24 Documents; Request Nos. 5, 9, 16, and 22 of Direct Purchaser Plaintiffs' Second Set of
25 Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
26 Plaintiffs' First Set of Interrogatories.

27 TAI further objects to Interrogatory No. 20 pursuant to Rule 33(a)(1), which limits the
28 number of interrogatories that may be served by one party on another party to 25 (twenty-

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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
2 of Rule 33(a)(1).

3 **INTERROGATORY NO. 21:**

4 For each year during the Class Period, state in U.S. dollars and by year Your business
5 profits and losses realized from sales of CRT Products by size and type of CRT Products sold
6 and by country of destination, and Your profits and losses for Your business as a whole.

7 **RESPONSE:**

8 In addition to its General Objections listed above, TAI objects to Interrogatory No. 21
9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
10 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

11 TAI also objects to Interrogatory No. 21 to the extent that it seeks disclosure of
12 documents or information that is not within TAI's possession, custody, or control.

13 TAI further objects to Interrogatory No. 21 to the extent that it seeks information
14 regarding sales outside the United States and unrelated to United States commerce, as such
15 sales are beyond the scope of this litigation and requesting such information renders
16 Interrogatory No. 21 overly broad, unduly burdensome, and not reasonably calculated to lead
17 to the discovery of admissible evidence.

18 TAI further objects to Interrogatory No. 21 on the ground that it is duplicative of
19 discovery served in this litigation, which is in contravention of the Discovery Protocol,
20 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
21 Documents; Request Nos. 5, 9, 16, and 22 of Direct Purchaser Plaintiffs' Second Set of
22 Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
23 Plaintiffs' First Set of Interrogatories.

24 TAI further objects to Interrogatory No. 21 pursuant to Rule 33(a)(1), which limits the
25 number of interrogatories that may be served by one party on another party to 25 (twenty-
26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
27 of Rule 33(a)(1).

28
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CONFIDENTIAL**INTERROGATORY NO. 22:**

To the extent that You contend that prior to November 2007 Plaintiffs knew, should have known, or were not reasonably diligent in discovery regarding the allegations in their Complaint, identify all Evidence upon which You intend to rely to prove such contention.

RESPONSE:

In addition to its General Objections listed above, TAI objects to Interrogatory No. 22 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI further objects to Interrogatory No. 22 to the extent it seeks information which is equally accessible to Plaintiffs as to TAI, or which has already been produced by TAI or by other parties in this litigation.

TAI further objects to Interrogatory No. 22 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol.

TAI further objects to Interrogatory No. 22 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 23:

To the extent that You contend that You provided false information, or false commitments relating to pricing or production of CRTs to competitors at Glass Meetings or Bilateral Meetings with those competitors, identify each instance that you provided false information or a false commitment and any Evidence related to it.

RESPONSE:

In addition to its General Objections listed above, TAI objects to Interrogatory No. 23 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

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1 TAI further objects to the terms “Glass Meetings” and Bilateral Meetings” because
 2 they are vague, overly broad, unduly burdensome and seeks information that is neither
 3 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

4 TAI further objects to the term “competitors” because it is vague, overly broad, unduly
 5 burdensome, and seeks information that is neither relevant nor reasonably calculated to lead
 6 to the discovery of admissible evidence.

7 TAI further objects to Interrogatory No. 23 to the extent that it assumes TAI engaged
 8 in a conspiracy.

9 TAI further objects to Interrogatory No. 23 pursuant to Rule 33(a)(1), which limits the
 10 number of interrogatories that may be served by one party on another party to 25 (twenty-
 11 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 12 of Rule 33(a)(1).

13 **INTERROGATORY NO. 24:**

14 To the extent that you contend that a competitor provided false information or a false
 15 commitment relating to pricing or production of CRTs to You at Glass Meetings or Bilateral
 16 Meetings, identify each instance, where such false information or false commitment was
 17 provided to You and any Evidence related to it.

18 **RESPONSE:**

19 In addition to its General Objections listed above, TAI objects to Interrogatory No. 24
 20 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 21 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

22 TAI further objects to the terms “Glass Meetings” and Bilateral Meetings” because
 23 they are vague, overly broad, unduly burdensome and seeks information that is neither
 24 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

25 TAI further objects to the term “competitors” because it is vague, overly broad, unduly
 26 burdensome, and seeks information that is neither relevant nor reasonably calculated to lead
 27 to the discovery of admissible evidence.
 28

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1 TAI further objects to Interrogatory No. 24 to the extent that it assumes TAI engaged
2 in a conspiracy.

3 TAI further objects to Interrogatory No. 24 pursuant to Rule 33(a)(1), which limits the
4 number of interrogatories that may be served by one party on another party to 25 (twenty-
5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 25:**

8 If Your response to any of the Indirect Purchaser Plaintiffs' First Set of Requests for
9 Admission was anything other than an unqualified admission, separately for each Request for
10 Admission:

11 (a) state the number of the request for admission;

12 (b) state all facts upon which You base Your response;

13 (c) identify all Evidence upon which You intend to rely to support your response; and

14 (d) identify each person who has knowledge of the facts upon which you base your
15 response

16 **RESPONSE:**

17 In addition to its General Objections listed above, TAI objects to Interrogatory No. 25
18 because it is vague, overly broad, unduly burdensome and oppressive, and seeks
19 information that is not reasonably calculated to lead to the discovery of admissible
20 evidence.

21 TAI also objects to Interrogatory No. 25 to the extent that it seeks the disclosure of
22 information that is not within TAI's possession, custody, or control and because any such
23 information is equally accessible to the Plaintiffs as to TAI

24 TAI further objects to Interrogatory No. 25 pursuant to Rule 33(a)(1), which limits the
25 number of interrogatories that may be served by one party on another party to 25 (twenty-
26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory
27 limit of Rule 33(a)(1).
28

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2 Dated: September 5, 2014
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TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES
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CONFIDENTIAL**CERTIFICATE OF SERVICE**

On September 5, 2014, I caused a copy of the “TOSHIBA AMERICA, INC.’S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO DEFENDANTS” to be served via e-mail upon:

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Exhibit 4-C

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14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 (SAN FRANCISCO DIVISION)

17 IN RE: CATHODE RAY TUBE (CRT)
 18 ANTITRUST LITIGATION

19 Case No. 07-5944 SC
 20 MDL No. 1917

21 This Document Relates to:

22 ALL INDIRECT-PURCHASER ACTIONS

23 **TOSHIBA AMERICA
 24 INFORMATION SYSTEMS,
 25 INC.'S OBJECTIONS AND
 26 RESPONSES TO INDIRECT-
 27 PURCHASER PLAINTIFFS'
 28 FIRST SET OF
 INTERROGATORIES TO
 DEFENDANTS**

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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's
2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court
3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America
4 Information Systems, Inc. ("TAIS") hereby submits the following Objections and Responses
5 to Indirect Purchaser Plaintiffs' First Set of Interrogatories to Defendants, dated August 1,
6 2014 (the "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the
8 above caption. Each response is subject to all objections as to relevance, materiality and
9 admissibility, and to any and all objections on any ground that would require exclusion of any
10 response if it were introduced in court. All evidentiary objections and grounds are expressly
11 reserved.

12 Each of the following responses is made on the basis of the information available at
13 the time of service of the responses. TAIS's responses to these Interrogatories are subject to
14 the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the
15 "Protective Order"). TAIS's responses are hereby designated "Confidential" in accordance
16 with the provisions of the Protective Order.

GENERAL OBJECTIONS

17
18 1. TAIS objects to the Interrogatories, including the Definitions and Instructions
19 provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case
20 Management Protocol, Docket number 1128 in the MDL.

21 2. TAIS objects to the Interrogatories, including the Definitions and Instructions
22 provided therein, to the extent they purport to impose obligations beyond those required or
23 permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil
24 Proceedings before the United States District Court for the Northern District of California or
25 to the extent it is outside the scope of any order or opinion of this Court.

26 3. TAIS objects to the Interrogatories, including the Definitions and Instructions
27 provided therein, to the extent they call for the production of documents or information that
28 relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably
2 calculated to lead to the discovery of admissible evidence.

3 4. TAIS objects to the Interrogatories, including the Definitions and Instructions
4 provided therein, to the extent they are overly broad, unduly burdensome, vague, or
5 ambiguous. TAIS further objects to the Interrogatories, including the Definitions and
6 Instructions provided therein, to the extent they purport to seek discovery of information from
7 disaster recovery systems and archives.

8 5. TAIS objects to the Interrogatories, including the Definitions and Instructions
9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TAIS objects to the Interrogatories, including the Definitions and Instructions
11 provided therein, to the extent they call for publicly available information.

12 7. TAIS objects to the Interrogatories, including the Definitions and Instructions
13 provided therein, to the extent they seek information or documents protected by the attorney-
14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,
15 immunity, or rule (collectively, "Privileged Information"). TAIS will not disclose any
16 Privileged Information in response to any Interrogatory. TAIS does not intend by these
17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent
18 production of such material or information is not intended to, and shall not, constitute a
19 general or specific waiver in whole or in part of those privileges or protections as to material
20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent
21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such
22 document or information.

23 8. TAIS objects to the Interrogatories, including the Definitions and Instructions
24 provided therein, to the extent they seek information, the disclosure of which would violate
25 applicable law, including, but not limited to, privacy laws. In providing any response, TAIS
26 does so only to the extent allowable under applicable law.

27 9. TAIS objects to the Interrogatories, including the Definitions and Instructions
28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1 10. TAIS objects to the Interrogatories, including the Definitions and Instructions
2 provided therein, to the extent they seek documents or information, the disclosure of which is
3 prohibited by contractual obligations or agreements between TAIS and third parties.

4 11. TAIS objects to the Interrogatories, including the Definitions and Instructions
5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of
6 the costs imposed on TAIS weighed against the Plaintiffs' need for the information.

7 12. TAIS objects to the Interrogatories, including the Definitions and Instructions
8 provided therein, to the extent they seek disclosure of documents or information not
9 reasonably accessible to TAIS.

10 13. TAIS objects to the Interrogatories, including the Definitions and Instructions
11 provided therein, to the extent they seek information which is equally accessible to Plaintiffs
12 as to TAIS, or which has already been produced by other parties.

13 14. TAIS objects to the Interrogatories, including the Definitions and Instructions
14 provided therein, to the extent they seek information, the disclosure of which is prohibited by
15 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the
16 documents or information are located.

17 15. TAIS objects to the Interrogatories, including the Definitions and Instructions
18 provided therein, to the extent they seek disclosure of documents or information that is not
19 within TAIS's possession, custody, or control.

20 16. TAIS objects to the Interrogatories, including the Definitions and Instructions
21 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or
22 Document Requests.

23 17. TAIS objects to the Interrogatories pursuant to Civil L.R. 33-2, which states
24 that "a demand that a party set forth the basis for a denial of an admission requested under
25 Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is
26 allowable only to the extent that a party is entitled to propound additional interrogatories."

27 18. TAIS objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the
28 number of interrogatories that may be served by one party on another party to 25 (twenty-

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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
2 of Rule 33(a)(1).

3 19. TAIS's response to the Interrogatories is not intended to be, and shall not be
4 construed as, an agreement or concurrence by TAIS with the Plaintiffs' characterization of
5 any facts, circumstances, or legal obligations. TAIS reserves the right to contest any such
6 characterization. TAIS further objects to the Interrogatories to the extent they contain express
7 or implied assumptions of fact or law with respect to matters at issue in the case.

8 20. TAIS objects to the Interrogatories, including the Definitions and Instructions
9 provided herein, to the extent they seek the discovery of information regarding TAIS's sales
10 outside the United States and unrelated to United States commerce, as such sales are beyond
11 the scope of this litigation and production of such information would render these
12 interrogatories overly broad, unduly burdensome and not reasonably calculated to lead to the
13 discovery of admissible evidence. TAIS also objects to the Interrogatories to the extent they
14 seek discovery of information that is beyond the scope of the Sherman Antitrust Act, 15
15 U.S.C. § 1. TAIS will only produce responsive, non-privileged information and documents
16 that relate to TAIS's sales, if any, of CRTs or CRT Products that are shipped to the United
17 States or that related to activity with a direct, substantial and reasonably foreseeable effect on
18 U.S. commerce and that can be located through a reasonable search.

19 21. TAIS objects to the Interrogatories on the basis that Plaintiffs bear the burden
20 of proof to establish standing; TAIS has no obligations to disprove standing and cannot be
21 compelled to disprove it.

22 22. TAIS objects to the Interrogatories to the extent that the Interrogatories intend
23 to imply that TAIS bears the burden of proof for each of the defenses cited in its Answer.

24 23. TAIS objects to the defined terms "Bilateral Meeting," "Communication,"
25 "Employee," "Evidence," "Glass Meeting," "Law Enforcement Agents," and "Meeting"
26 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated
27 to lead to the discovery of admissible evidence.

28
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1 24. TAIS objects to the defined term “Defendant” because the incorporation of any
2 or all of the terms “present or former directors, officers, employees, agents, representatives, or
3 any persons acting or purporting to act on behalf of the defendant” into the definition renders
4 each Interrogatory incorporating any of the defined terms overly broad and unduly
5 burdensome, as they call for information that is not relevant to the claim or defense or any
6 party, not relevant to the subject matter involved in this action and not reasonably calculated
7 to lead to the discovery of admissible evidence, and because they improperly purport to seek
8 information from distinct persons not parties to the case and not controlled by TAIS.

9 25. TAIS objects to the defined term “Document” as vague, ambiguous, overly
10 broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible
11 evidence and inconsistent with the definition in Rule 34(a)(1)(A) of the Federal Rules of Civil
12 Procedure. TAIS further objects to this definition on the ground that it seeks original
13 documents or purports to require the production of documents in a specified medium or
14 format, including to the extent it purports to impose obligations on TAIS beyond those
15 required by the Production of Electronically Stored Information (“ESI”), Docket No. 828 in
16 the MDL.

17 26. TAIS objects to the defined terms “You” and “Your” because they are vague,
18 overly broad, and unduly burdensome, because they include entities not controlled by TAIS,
19 because they seek information that is neither relevant nor reasonably calculated to lead to the
20 discovery of admissible information, and, in addition, because they improperly purport to seek
21 information from distinct corporate entities and persons not parties to the case and not
22 controlled by TAIS. TAIS further objects to the definitions of “You” and “Your” because the
23 incorporation of any or all of the terms “subsidiaries,” “departments,” “divisions,” “affiliates,”
24 “employees,” “agents,” or “representatives” into the definitions renders the Interrogatories
25 overly broad and unduly burdensome because it calls for information that is not relevant to the
26 claim or defense of any party, because it is not relevant to the subject matter involved in this
27 action, because it is not reasonably calculated to lead to the discovery of admissible evidence,
28

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1 and because it improperly purports to seek information from entities that are neither parties to
 2 the case, nor controlled by TAIS.

3 27. TAIS objects to the defined term "Class Period" to the extent that it exceeds
 4 the "Class Period" defined in the Complaints, because it is overly broad, unduly burdensome,
 5 not relevant and not reasonably calculated to lead to the discovery of admissible evidence.
 6 TAIS also objects to the definition of "Class Period" because it is well beyond the relevant
 7 statute of limitations. TAIS further objects to the term "Class Period" to the extent that it
 8 seeks documents created after this litigation began. For the purposes of responding to these
 9 Interrogatories, TAIS will interpret the term "Class Period" as referring to the "Class Period"
 10 defined in the Complaints, which is March 1, 1995 to November 25, 2007.

11 28. Discovery is ongoing. This response is being made after reasonable inquiry
 12 into the relevant facts, and is based upon the information presently known to TAIS. Further
 13 investigation and discovery may result in the identification of additional information or
 14 contentions, and TAIS expressly reserves all rights to amend its responses and objections to
 15 Indirect Purchaser Plaintiffs' First Set of Interrogatories as necessary. TAIS's responses
 16 should not be construed to prejudice its right to conduct further investigation in this case, or to
 17 limit TAIS's use of any additional evidence that may be developed.

18 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

19 **INTERROGATORY NO. 1:**

20 Have You ever participated in any conspiracy to fix prices, limit production or
 21 capacity, allocate customers and/or allocate market share of CRTs?

22 **RESPONSE:**

23 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 1
 24 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 25 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

26 Subject to and without waiving the objections stated above, TAIS denies ever
 27 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
 28 and/or allocate market share of CRTs.

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If You contend that You withdrew from any CRT Conspiracy, state:

(a) Why You withdrew from the conspiracy;

(b) What specific acts You took to withdraw from the CRT Conspiracy;

(c) Any co-conspirators or Law Enforcement Agents to whom You communicated
Your withdrawal; and

(d) Who withdrew from the CRT Conspiracy on your behalf

RESPONSE:

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 2 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to the term “CRT Conspiracy” because it is vague, ambiguous, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the objections stated above, TAIS denies ever participating in any conspiracy to fix prices, limit production or capacity, allocate customers, and/or allocate market share of CRTs.

INTERROGATORY NO. 3:

If Your answer to Interrogatory No. 2, above, is in the affirmative, identify all Evidence upon which You intend to rely to prove such contention.

RESPONSE:

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 3 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 3 to the extent it seeks “all Evidence” on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

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1 Subject to and without waiving the objections stated above, TAIS denies ever
 2 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
 3 and/or allocate market share of CRTs.

4 **INTERROGATORY NO. 5:**

5 Indicate whether You were notified at any time by any co-conspirator of any co-
 6 conspirator's intent to withdraw from the CRT Conspiracy?

7 **RESPONSE:**

8 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 5
 9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 10 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

11 TAIS also objects to the term "CRT Conspiracy" because it is vague, ambiguous,
 12 overly broad, unduly burdensome, and seeks information that is neither relevant nor
 13 reasonably calculated to lead to the discovery of admissible evidence.

14 TAIS further objects to the term "co-conspirator" because it is vague, ambiguous,
 15 overly broad, unduly burdensome, and seeks information that is neither relevant nor
 16 reasonably calculated to lead to the discovery of admissible evidence.

17 TAIS further objects to Interrogatory No. 5 to the extent that it assumes TAIS engaged
 18 in a conspiracy.

19 Subject to and without waiving the objections stated above, TAIS denies ever
 20 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
 21 and/or allocate market share of CRTs.

22 **INTERROGATORY NO. 6:**

23 If Your answer to Interrogatory No. 5 above, is in the affirmative, describe all
 24 communication(s) between You and any person(s) regarding any co-conspirator's intent to
 25 withdraw from the conspiracy, and identify all Evidence regarding such communications.
 26
 27
 28

CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to the term “co-conspirator” because it is vague, ambiguous, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS further objects to Interrogatory No. 6 to the extent that it assumes TAIS engaged in a conspiracy.

Subject to and without waiving the objections stated above, TAIS denies ever participating in any conspiracy to fix prices, limit production or capacity, allocate customers, and/or allocate market share of CRTs.

INTERROGATORY NO. 7:

For each affirmative defense in your Answer, identify all Evidence supporting that defense, or state that the defense will no longer be asserted.

RESPONSE:

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 7 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 7 to the extent it seeks “all Evidence” on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAIS further objects to Interrogatory No. 7 because requesting “all Evidence” for “each affirmative defense in your Answer” constitutes as more than one interrogatory under Rule 33(a)(1) of the Federal Rules of Civil Procedure.

TAIS further objects to Interrogatory No. 7 to the extent it calls for legal conclusions.

Subject to and without waiving the objections stated above, TAIS identifies the affirmative defenses enumerated in its Answer to the Indirect Purchaser Plaintiffs’ Complaint

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(ECF No. 853), including, but not limited to, TAIS's sixth, thirteenth, fourteenth, fifteenth, twenty-first, thirty-first, thirty-second, thirty-seventh, fifty-sixth, sixty-ninth, and eighty-seventh defenses.

TAIS takes no position at this time as to whether any of the Plaintiffs' claims against TAIS are barred, in whole or in part, by TAIS's sixth, thirteenth, fourteenth, fifteenth, twenty-first, fifty-sixth, sixty-ninth, and eighty-seventh defenses.

TAIS takes no position at this time as to whether any of the Plaintiffs' claims against TAIS are barred, in whole or in part, by TAIS's thirty-first and thirty-second defenses. TAIS reserves the right to develop these defenses should parties to this litigation reach settlement agreements.

Regarding TAIS's thirty-seventh defense, TAIS refers Plaintiffs to evidence provided in this litigation, including but not limited to: TSB-CRT-00018162 and Transcript of Rule 30(b)(6) Deposition of Toshiba Corp. at, *inter alia*, 64:20-65:2, *In re: Cathode Ray Tube (CRT) Antitrust Litig.*, Case No. 03:07-cv-05944-SC, MDL No. 1917 (N.D. Cal.), dated July 30, 2012.

Discovery is ongoing. TAIS reserves the right to supplement, amend, expand, correct, or clarify these objections and responses to this Interrogatory and to assert additional general and specifics objections arising from matters discovered during the course of the litigation.

INTERROGATORY NO. 8:

For each year during the Class Period, state by year how many CRTs (in both number of units and revenue in U.S. dollars) that You: (a) billed to and shipped to the United States; (b) billed to an address in the United States, but shipped to a location outside of the United States; (c) shipped to an address in the United States, but billed to a location outside of the United States; and (d) shipped and billed to a location outside of the United States.

RESPONSE:

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

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1 TAIS further objects to Interrogatory No. 8 to the extent that it seeks information
2 regarding sales outside the United States and unrelated to United States commerce, as such
3 sales are beyond the scope of this litigation and requesting such information renders
4 Interrogatory No. 8 overly broad, unduly burdensome, and not reasonably calculated to lead
5 to the discovery of admissible evidence.

6 TAIS further objects to Interrogatory No. 8 on the ground that it is duplicative of
7 discovery served in this litigation, which is in contravention of the Discovery Protocol,
8 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
9 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
10 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
11 Set of Interrogatories.

12 Subject to and without waiving the objections stated above, TAIS states that it did not
13 bill, ship, or sell CRTs during the relevant period.

14 **INTERROGATORY NO. 9:**

15 For each year during the Class Period, state by year how many CRT Products (in both
16 number of units and revenue in U.S. dollars) that You: (a) billed to and shipped to the United
17 States; (b) billed to an address in the United States, but shipped to a location outside of the
18 United States; (c) shipped to an address in the United States, but billed to a location outside of
19 the United States; and (d) shipped and billed to a location outside of the United States.

20 **RESPONSE:**

21 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 9
22 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
23 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

24 TAIS also objects to Interrogatory No. 9 to the extent that it seeks disclosure of
25 documents or information that is not within TAIS's possession, custody, or control.

26 TAIS further objects to Interrogatory No. 9 to the extent that it seeks information
27 regarding sales outside the United States and unrelated to United States commerce, as such
28 sales are beyond the scope of this litigation and requesting such information renders

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1 Interrogatory No. 9 overly broad, unduly burdensome, and not reasonably calculated to lead
2 to the discovery of admissible evidence.

3 Subject to and without waiving the objections stated above, TAIS refers Plaintiffs to
4 documents and information previously produced by TAIS in this litigation in response to
5 Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
6 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
7 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
8 Set of Interrogatories.

9 **INTERROGATORY NO. 10:**

10 For each year during the Class Period, state by year how many CRTs (in both number
11 of units and revenue in U.S. dollars) that You shipped to and/or billed to an electronic
12 manufacturing service, original design manufacturer, or system integrator for integration into
13 CRT Products to be sold in the United States.

14 **RESPONSE:**

15 In addition to its General Objections listed above, TAIS objects to Interrogatory No.
16 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
17 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

18 TAIS also objects to Interrogatory No. 10 to the extent that it seeks disclosure of
19 documents or information that is not within TAIS's possession, custody, or control.

20 TAIS objects to the terms "electronic manufacturing service," "original design
21 manufacturer," and "system integrator" because they are vague, overbroad, and unduly
22 burdensome.

23 TAIS also objects to Interrogatory No. 10 to the extent that it seeks information
24 regarding sales outside the United States and unrelated to United States commerce, as such
25 sales are beyond the scope of this litigation and requesting such information renders
26 Interrogatory No. 10 overly broad, unduly burdensome, and not reasonably calculated to lead
27 to the discovery of admissible evidence.
28

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1 TAIS further objects to Interrogatory No. 10 on the ground that it is duplicative of
2 discovery served in this litigation, which is in contravention of the Discovery Protocol,
3 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
4 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
5 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
6 Set of Interrogatories.

7 Subject to and without waiving the objections stated above, TAIS refers Plaintiffs to
8 its Response to Interrogatory No. 8.

9 **INTERROGATORY NO. 11:**

10 For each year during the Class Period, state by year Your total worldwide dollar
11 amount of sales of CRTs, both in the aggregate and by size of the CRT.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TAIS objects to Interrogatory No.
14 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TAIS also objects to Interrogatory No. 11 because it prematurely seeks expert opinion.

17 TAIS also objects to Interrogatory No. 11 to the extent that it seeks information
18 regarding sales outside the United States and unrelated to United States commerce, as such
19 sales are beyond the scope of this litigation and requesting such information renders
20 Interrogatory No. 11 overly broad, unduly burdensome, and not reasonably calculated to lead
21 to the discovery of admissible evidence.

22 TAIS further objects to Interrogatory No. 11 on the ground that it is duplicative of
23 discovery served in this litigation, which is in contravention of the Discovery Protocol,
24 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
25 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
26 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
27 Set of Interrogatories.

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1 Subject to and without waiving the objections stated above, TAIS refers Plaintiffs to
2 its Response to Interrogatory No. 8.

3 **INTERROGATORY NO. 12:**

4 For each year during the Class Period, state by year Your total worldwide dollar
5 amount of sales of CRTs, by size and by country of destination.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAIS objects to Interrogatory No.
8 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAIS also objects to Interrogatory No. 12 because it prematurely seeks expert opinion.

11 TAIS also objects to Interrogatory No. 12 to the extent that it seeks information
12 regarding sales outside the United States and unrelated to United States commerce, as such
13 sales are beyond the scope of this litigation and requesting such information renders
14 Interrogatory No. 12 overly broad, unduly burdensome, and not reasonably calculated to lead
15 to the discovery of admissible evidence.

16 TAIS further objects to Interrogatory No. 12 on the ground that it is duplicative of
17 discovery served in this litigation, which is in contravention of the Discovery Protocol,
18 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
19 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
20 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
21 Set of Interrogatories.

22 Subject to and without waiving the objections stated above, TAIS refers Plaintiffs to
23 its Response to Interrogatory No. 8.

24 **INTERROGATORY NO. 13:**

25 For each year during the Class Period, state by year Your total worldwide dollar
26 amount of sales of CRT Products, both in the aggregate and by the size and type of CRT
27 Product.

CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 13 because it prematurely seeks expert opinion.

TAIS further objects to Interrogatory No. 13 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 13 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the objections stated above, TAIS refers Plaintiffs to documents and information previously produced by TAIS in this litigation in response to Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

INTERROGATORY NO. 14:

For each year during the Class Period, state by year Your total dollar amount of sales of CRT Products by the size and type of CRT Products sold and by country of destination.

RESPONSE:

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 14 because it prematurely seeks expert opinion.

TAIS further objects to Interrogatory No. 14 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders

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1 Interrogatory No. 14 overly broad, unduly burdensome, and not reasonably calculated to lead
2 to the discovery of admissible evidence.

3 Subject to and without waiving the objections stated above, TAIS refers Plaintiffs to
4 documents and information previously produced by TAIS in this litigation in response to
5 Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
6 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
7 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
8 Set of Interrogatories.

9 **INTERROGATORY NO. 15:**

10 For each year during the Class Period, state by year Your dollar amount of sales of
11 CRTs in the United States, both in the aggregate and by size of the CRT.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TAIS objects to Interrogatory No.
14 15 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TAIS also objects to Interrogatory No. 15 because it prematurely seeks expert opinion.

17 TAIS further objects to Interrogatory No. 15 on the ground that it is duplicative of
18 discovery served in this litigation, which is in contravention of the Discovery Protocol,
19 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
20 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
21 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
22 Set of Interrogatories.

23 Subject to and without waiving the objections stated above, TAIS refers Plaintiffs to
24 its Response to Interrogatory No. 8.

25 **INTERROGATORY NO. 16:**

26 For each year during the Class Period, state by year Your dollar amount of sales of
27 CRT Products in the United States, both in the aggregate and by the size and type of the CRT
28 Product.

CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 16 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 16 because it prematurely seeks expert opinion.

TAIS further objects to Interrogatory No. 16 to the extent that it seeks disclosure of documents or information that is not within TAIS's possession, custody, or control.

Subject to and without waiving the objections stated above, TAIS refers Plaintiffs to documents and information previously produced by TAIS in this litigation in response to Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

INTERROGATORY NO. 17:

For the sales of CRT Products identified in Interrogatory No. 16, state the value of the CRT included in the CRT Product sales price.

RESPONSE:

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 17 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS further objects to Interrogatory No. 17 to the extent it seeks the disclosure of documents or information that is not within TAIS's possession, custody, or control.

TAIS also objects to Interrogatory No. 17 because it prematurely seeks expert opinion.

TAIS further objects to Interrogatory No. 17 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

CONFIDENTIAL**INTERROGATORY NO. 18:**

For each year during the Class Period, state by year Your sales of CRTs to any other Defendant by size and by country of destination.

RESPONSE:

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 18 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS further objects to Interrogatory No. 18 to the extent that it seeks disclosure of documents or information that is not within TAIS's possession, custody, or control.

TAIS also objects to Interrogatory No. 18 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 18 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAIS further objects to Interrogatory No. 18 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

TAIS further objects to Interrogatory No. 18 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 19:

For each year during the Class Period, state by year Your sales of CRT Products to any other Defendant by the size and type of CRT Products sold and by country of destination.

CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 19 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS further objects to Interrogatory No. 19 to the extent that it seeks disclosure of documents or information that is not within TAIS's possession, custody, or control.

TAIS further objects to Interrogatory No. 19 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 19 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAIS further objects to Interrogatory No. 19 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

TAIS further objects to Interrogatory No. 19 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1)

INTERROGATORY NO. 20:

For each year during the Class Period, state in U.S. dollars and by year Your business profits and losses realized from sales of CRTs by size and by country of destination, and Your profits and losses for Your business as a whole.

CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 20 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 20 because it prematurely seeks expert opinion.

TAIS further objects to Interrogatory No. 20 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 20 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAIS further objects to Interrogatory No. 20 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, 16, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

TAIS further objects to Interrogatory No. 20 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 21:

For each year during the Class Period, state in U.S. dollars and by year Your business profits and losses realized from sales of CRT Products by size and type of CRT Products sold and by country of destination, and Your profits and losses for Your business as a whole.

RESPONSE:

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 21 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

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1 TAIS also objects to Interrogatory No. 21 to the extent that it seeks disclosure of
2 documents or information that is not within TAIS's possession, custody, or control.

3 TAIS further objects to Interrogatory No. 21 to the extent that it seeks information
4 regarding sales outside the United States and unrelated to United States commerce, as such
5 sales are beyond the scope of this litigation and requesting such information renders
6 Interrogatory No. 21 overly broad, unduly burdensome, and not reasonably calculated to lead
7 to the discovery of admissible evidence.

8 TAIS further objects to Interrogatory No. 21 on the ground that it is duplicative of
9 discovery served in this litigation, which is in contravention of the Discovery Protocol,
10 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
11 Documents; Request Nos. 5, 9, 16, and 22 of Direct Purchaser Plaintiffs' Second Set of
12 Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
13 Plaintiffs' First Set of Interrogatories.

14 TAIS further objects to Interrogatory No. 21 pursuant to Rule 33(a)(1), which limits
15 the number of interrogatories that may be served by one party on another party to 25 (twenty-
16 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
17 of Rule 33(a)(1).

18 **INTERROGATORY NO. 22:**

19 To the extent that You contend that prior to November 2007 Plaintiffs knew, should
20 have known, or were not reasonably diligent in discovery regarding the allegations in their
21 Complaint, identify all Evidence upon which You intend to rely to prove such contention.

22 **RESPONSE:**

23 In addition to its General Objections listed above, TAIS objects to Interrogatory No.
24 22 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
25 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

26 TAIS further objects to Interrogatory No. 22 to the extent it seeks information
27 which is equally accessible to Plaintiffs as to TAIS, or which has already been produced
28 by TAIS or by other parties in this litigation.

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1 TAIS further objects to Interrogatory No. 22 on the ground that it is duplicative of
2 discovery served in this litigation, which is in contravention of the Discovery Protocol.

3 TAIS further objects to Interrogatory No. 22 pursuant to Rule 33(a)(1), which limits
4 the number of interrogatories that may be served by one party on another party to 25 (twenty-
5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 23:**

8 To the extent that You contend that You provided false information, or false
9 commitments relating to pricing or production of CRTs to competitors at Glass Meetings or
10 Bilateral Meetings with those competitors, identify each instance that you provided false
11 information or a false commitment and any Evidence related to it.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TAIS objects to Interrogatory No.
14 23 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TAIS further objects to the terms “Glass Meetings” and Bilateral Meetings” because
17 they are vague, overly broad, unduly burdensome, and seek information that is neither
18 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

19 TAIS further objects to the term “competitors” because it is vague, overly broad,
20 unduly burdensome, and seeks information that is neither relevant nor reasonably calculated
21 to lead to the discovery of admissible evidence.

22 TAIS further objects to Interrogatory No. 23 to the extent that it assumes TAIS
23 engaged in a conspiracy.

24 TAIS further objects to Interrogatory No. 23 pursuant to Rule 33(a)(1), which limits
25 the number of interrogatories that may be served by one party on another party to 25 (twenty-
26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
27 of Rule 33(a)(1).
28

CONFIDENTIAL**INTERROGATORY NO. 24:**

To the extent that you contend that a competitor provided false information or a false commitment relating to pricing or production of CRTs to You at Glass Meetings or Bilateral Meetings, identify each instance, where such false information or false commitment was provided to You and any Evidence related to it.

RESPONSE:

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 24 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS further objects to the terms “Glass Meetings” and Bilateral Meetings” because they are vague, overly broad, unduly burdensome, and seek information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS further objects to the term “competitors” because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS further objects to Interrogatory No. 24 to the extent that it assumes TAIS engaged in a conspiracy.

TAIS further objects to Interrogatory No. 24 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 25:

If Your response to any of the Indirect Purchaser Plaintiffs’ First Set of Requests for Admission was anything other than an unqualified admission, separately for each Request for Admission:

(a) state the number of the request for admission;

(b) state all facts upon which You base Your response;

(c) identify all Evidence upon which You intend to rely to support your response; and

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(d) identify each person who has knowledge of the facts upon which you base your response

RESPONSE:

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 25 because it is vague, overly broad, unduly burdensome and oppressive, and seeks information that is not reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 25 to the extent that it seeks the disclosure of information that is not within TAIS's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAIS

TAIS further objects to Interrogatory No. 25 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

Dated: September 5, 2014

WHITE & CASE_{LLP}By: Christopher M. Curran (*pro hac vice*)ccurran@whitecase.comLucius B. Lau (*pro hac vice*)alau@whitecase.comDana E. Foster (*pro hac vice*)defoster@whitecase.com

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CONFIDENTIAL**CERTIFICATE OF SERVICE**

On September 5, 2014, I caused a copy of the "TOSHIBA AMERICA INFORMATION SYSTEMS, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANTS" to be served via e-mail upon:

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Exhibit 4-D

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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 (SAN FRANCISCO DIVISION)

17 IN RE: CATHODE RAY TUBE (CRT)
18 ANTITRUST LITIGATION

Case No. 07-5944 SC
MDL No. 1917

19 This Document Relates to:

20 ALL INDIRECT-PURCHASER ACTIONS

**TOSHIBA AMERICA
CONSUMER PRODUCTS,
L.L.C.'S OBJECTIONS AND
RESPONSES TO INDIRECT-
PURCHASER PLAINTIFFS'
FIRST SET OF
INTERROGATORIES TO
DEFENDANTS**

21 TOSHIBA AMERICA CONSUMER PRODUCTS, L.L.C.'S OBJECTIONS AND RESPONSES
22 TO INDIRECT-PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANTS

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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's
2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court
3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America
4 Consumer Products, L.L.C. ("TACP") hereby submits the following Objections and
5 Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories to Defendants, dated
6 August 1, 2014 (the "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the
8 above caption. Each response is subject to all objections as to relevance, materiality and
9 admissibility, and to any and all objections on any ground that would require exclusion of any
10 response if it were introduced in court. All evidentiary objections and grounds are expressly
11 reserved.

12 Each of the following responses is made on the basis of the information available at
13 the time of service of the responses. TACP's responses to these Interrogatories are subject to
14 the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the
15 "Protective Order"). TACP's responses are hereby designated "Confidential" in accordance
16 with the provisions of the Protective Order.

GENERAL OBJECTIONS

17
18 1. TACP objects to the Interrogatories, including the Definitions and Instructions
19 provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case
20 Management Protocol, Docket number 1128 in the MDL.

21 2. TACP objects to the Interrogatories, including the Definitions and Instructions
22 provided therein, to the extent they purport to impose obligations beyond those required or
23 permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil
24 Proceedings before the United States District Court for the Northern District of California or
25 to the extent it is outside the scope of any order or opinion of this Court.

26 3. TACP objects to the Interrogatories, including the Definitions and Instructions
27 provided therein, to the extent they call for the production of documents or information that
28 relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably
2 calculated to lead to the discovery of admissible evidence.

3 4. TACP objects to the Interrogatories, including the Definitions and Instructions
4 provided therein, to the extent they are overly broad, unduly burdensome, vague, or
5 ambiguous. TACP further objects to the Interrogatories, including the Definitions and
6 Instructions provided therein, to the extent they purport to seek discovery of information from
7 disaster recovery systems and archives.

8 5. TACP objects to the Interrogatories, including the Definitions and Instructions
9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TACP objects to the Interrogatories, including the Definitions and Instructions
11 provided therein, to the extent they call for publicly available information.

12 7. TACP objects to the Interrogatories, including the Definitions and Instructions
13 provided therein, to the extent they seek information or documents protected by the attorney-
14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,
15 immunity, or rule (collectively, "Privileged Information"). TACP will not disclose any
16 Privileged Information in response to any Interrogatory. TACP does not intend by these
17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent
18 production of such material or information is not intended to, and shall not, constitute a
19 general or specific waiver in whole or in part of those privileges or protections as to material
20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent
21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such
22 document or information.

23 8. TACP objects to the Interrogatories, including the Definitions and Instructions
24 provided therein, to the extent they seek information, the disclosure of which would violate
25 applicable law, including, but not limited to, privacy laws. In providing any response, TACP
26 does so only to the extent allowable under applicable law.

27 9. TACP objects to the Interrogatories, including the Definitions and Instructions
28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1 10. TACP objects to the Interrogatories, including the Definitions and Instructions
2 provided therein, to the extent they seek documents or information, the disclosure of which is
3 prohibited by contractual obligations or agreements between TACP and third parties.

4 11. TACP objects to the Interrogatories, including the Definitions and Instructions
5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of
6 the costs imposed on TACP weighed against the Plaintiffs' need for the information.

7 12. TACP objects to the Interrogatories, including the Definitions and Instructions
8 provided therein, to the extent they seek disclosure of documents or information not
9 reasonably accessible to TACP.

10 13. TACP objects to the Interrogatories, including the Definitions and Instructions
11 provided therein, to the extent they seek information which is equally accessible to Plaintiffs
12 as to TACP, or which has already been produced by other parties.

13 14. TACP objects to the Interrogatories, including the Definitions and Instructions
14 provided therein, to the extent they seek information, the disclosure of which is prohibited by
15 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the
16 documents or information are located.

17 15. TACP objects to the Interrogatories, including the Definitions and Instructions
18 provided therein, to the extent they seek disclosure of documents or information that is not
19 within TACP's possession, custody, or control.

20 16. TACP objects to the Interrogatories, including the Definitions and Instructions
21 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or
22 Document Requests.

23 17. TACP objects to the Interrogatories pursuant to Civil L.R. 33-2, which states
24 that "a demand that a party set forth the basis for a denial of an admission requested under
25 Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is
26 allowable only to the extent that a party is entitled to propound additional interrogatories."

27 18. TACP objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the
28 number of interrogatories that may be served by one party on another party to 25 (twenty-

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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
2 of Rule 33(a)(1).

3 19. TACP's response to the Interrogatories is not intended to be, and shall not be
4 construed as, an agreement or concurrence by TACP with the Plaintiffs' characterization of
5 any facts, circumstances, or legal obligations. TACP reserves the right to contest any such
6 characterization. TACP further objects to the Interrogatories to the extent they contain
7 express or implied assumptions of fact or law with respect to matters at issue in the case.

8 20. TACP objects to the Interrogatories, including the Definitions and Instructions
9 provided herein, to the extent they seek the discovery of information regarding TACP's sales
10 outside the United States and unrelated to United States commerce, as such sales are beyond
11 the scope of this litigation and production of such information would render these
12 interrogatories overly broad, unduly burdensome and not reasonably calculated to lead to the
13 discovery of admissible evidence. TACP also objects to the Interrogatories to the extent they
14 seek discovery of information that is beyond the scope of the Sherman Antitrust Act, 15
15 U.S.C. § 1. TACP will only produce responsive, non-privileged information and documents
16 that relate to TACP's sales, if any, of CRTs or CRT Products that are shipped to the United
17 States or that related to activity with a direct, substantial and reasonably foreseeable effect on
18 U.S. commerce and that can be located through a reasonable search.

19 21. TACP objects to the Interrogatories on the basis that Plaintiffs bear the burden
20 of proof to establish standing; TACP has no obligations to disprove standing and cannot be
21 compelled to disprove it.

22 22. TACP objects to the Interrogatories to the extent that the Interrogatories intend
23 to imply that TACP bears the burden of proof for each of the defenses cited in its Answer.

24 23. TACP objects to the defined terms "Bilateral Meeting," "Communication,"
25 "Employee," "Evidence," "Glass Meeting," "Law Enforcement Agents," and "Meeting"
26 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated
27 to lead to the discovery of admissible evidence.

28
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1 24. TACP objects to the defined term “Defendant” because the incorporation of
2 any or all of the terms “present or former directors, officers, employees, agents,
3 representatives, or any persons acting or purporting to act on behalf of the defendant” into the
4 definition renders each Interrogatory incorporating any of the defined terms overly broad and
5 unduly burdensome, as they call for information that is not relevant to the claim or defense or
6 any party, not relevant to the subject matter involved in this action and not reasonably
7 calculated to lead to the discovery of admissible evidence, and because they improperly
8 purport to seek information from distinct persons not parties to the case and not controlled by
9 TACP.

10 25. TACP objects to the defined term “Document” as vague, ambiguous, overly
11 broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible
12 evidence and inconsistent with the definition in Rule 34(a)(1)(A) of the Federal Rules of Civil
13 Procedure. TACP further objects to this definition on the ground that it seeks original
14 documents or purports to require the production of documents in a specified medium or
15 format, including to the extent it purports to impose obligations on TACP beyond those
16 required by the Production of Electronically Stored Information (“ESI”), Docket No. 828 in
17 the MDL.

18 26. TACP objects to the defined terms “You” and “Your” because they are vague,
19 overly broad, and unduly burdensome, because they include entities not controlled by TACP,
20 because they seek information that is neither relevant nor reasonably calculated to lead to the
21 discovery of admissible information, and, in addition, because they improperly purport to seek
22 information from distinct corporate entities and persons not parties to the case and not
23 controlled by TACP. TACP further objects to the definitions of “You” and “Your” because
24 the incorporation of any or all of the terms “subsidiaries,” “departments,” “divisions,”
25 “affiliates,” “employees,” “agents,” or “representatives” into the definitions renders the
26 Interrogatories overly broad and unduly burdensome because it calls for information that is
27 not relevant to the claim or defense of any party, because it is not relevant to the subject
28 matter involved in this action, because it is not reasonably calculated to lead to the discovery

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1 of admissible evidence, and because it improperly purports to seek information from entities
2 that are neither parties to the case, nor controlled by TACP.

3 27. TACP objects to the defined term "Class Period" to the extent that it exceeds
4 the "Class Period" defined in the Complaints, because it is overly broad, unduly burdensome,
5 not relevant and not reasonably calculated to lead to the discovery of admissible evidence.
6 TACP also objects to the definition of "Class Period" because it is well beyond the relevant
7 statute of limitations. TACP further objects to the term "Class Period" to the extent that it
8 seeks documents created after this litigation began. For the purposes of responding to these
9 Interrogatories, TACP will interpret the term "Class Period" as referring to the "Class Period"
10 defined in the Complaints, which is March 1, 1995 to November 25, 2007.

11 28. Discovery is ongoing. This response is being made after reasonable inquiry
12 into the relevant facts, and is based upon the information presently known to TACP. Further
13 investigation and discovery may result in the identification of additional information or
14 contentions, and TACP expressly reserves all rights to amend its responses and objections to
15 Indirect Purchaser Plaintiffs' First Set of Interrogatories as necessary. TACP's responses
16 should not be construed to prejudice its right to conduct further investigation in this case, or to
17 limit TACP's use of any additional evidence that may be developed.

18 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

19 **INTERROGATORY NO. 1:**

20 Have You ever participated in any conspiracy to fix prices, limit production or
21 capacity, allocate customers and/or allocate market share of CRTs?

22 **RESPONSE:**

23 In addition to its General Objections listed above, TACP objects to Interrogatory No. 1
24 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
25 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

26 Subject to and without waiving the objections stated above, TACP denies ever
27 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
28 and/or allocate market share of CRTs.

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If You contend that You withdrew from any CRT Conspiracy, state:

(a) Why You withdrew from the conspiracy;

(b) What specific acts You took to withdraw from the CRT Conspiracy;

(c) Any co-conspirators or Law Enforcement Agents to whom You communicated
Your withdrawal; and

(d) Who withdrew from the CRT Conspiracy on your behalf

RESPONSE:

In addition to its General Objections listed above, TACP objects to Interrogatory No. 2 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to the term “CRT Conspiracy” because it is vague, ambiguous, overly broad, unduly burdensome and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the objections stated above, TACP denies ever participating in any conspiracy to fix prices, limit production or capacity, allocate customers, and/or allocate market share of CRTs.

INTERROGATORY NO. 3:

If Your answer to Interrogatory No. 2, above, is in the affirmative, identify all Evidence upon which You intend to rely to prove such contention.

RESPONSE:

In addition to its General Objections listed above, TACP objects to Interrogatory No. 3 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 3 to the extent it seeks “all Evidence” on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

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1 Subject to and without waiving the objections stated above, TACP denies ever
2 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
3 and/or allocate market share of CRTs.

4 **INTERROGATORY NO. 5:**

5 Indicate whether You were notified at any time by any co-conspirator of any co-
6 conspirator's intent to withdraw from the CRT Conspiracy?

7 **RESPONSE:**

8 In addition to its General Objections listed above, TACP objects to Interrogatory No. 5
9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
10 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

11 TACP also objects to the term "CRT Conspiracy" because it is vague, ambiguous,
12 overly broad, unduly burdensome, and seeks information that is neither relevant nor
13 reasonably calculated to lead to the discovery of admissible evidence.

14 TACP further objects to the term "co-conspirator" because it is vague, ambiguous,
15 overly broad, unduly burdensome, and seeks information that is neither relevant nor
16 reasonably calculated to lead to the discovery of admissible evidence.

17 TACP further objects to Interrogatory No. 5 to the extent that it assumes TACP
18 engaged in a conspiracy.

19 Subject to and without waiving the objections stated above, TACP denies ever
20 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
21 and/or allocate market share of CRTs.

22 **INTERROGATORY NO. 6:**

23 If Your answer to Interrogatory No. 5 above, is in the affirmative, describe all
24 communication(s) between You and any person(s) regarding any co-conspirator's intent to
25 withdraw from the conspiracy, and identify all Evidence regarding such communications.
26
27
28

CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, TACP objects to Interrogatory No. 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to the term “co-conspirator” because it is vague, ambiguous, overly broad, unduly burdensome and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP further objects to Interrogatory No. 6 to the extent that it assumes TACP engaged in a conspiracy.

Subject to and without waiving the objections stated above, TACP denies ever participating in any conspiracy to fix prices, limit production or capacity, allocate customers, and/or allocate market share of CRTs.

INTERROGATORY NO. 7:

For each affirmative defense in your Answer, identify all Evidence supporting that defense, or state that the defense will no longer be asserted.

RESPONSE:

In addition to its General Objections listed above, TACP objects to Interrogatory No. 7 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 7 to the extent it seeks “all Evidence” on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TACP further objects to Interrogatory No. 7 because requesting “all Evidence” for “each affirmative defense in your Answer” constitutes as more than one interrogatory under Rule 33(a)(1) of the Federal Rules of Civil Procedure.

TACP further objects to Interrogatory No. 7 to the extent it calls for legal conclusions.

Subject to and without waiving the objections stated above, TACP identifies the affirmative defenses enumerated in its Answer to the Indirect Purchaser Plaintiffs’ Complaint

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(ECF No. 851), including, but not limited to, TACP's sixth, thirteenth, fourteenth, fifteenth, twenty-first, thirty-first, thirty-second, thirty-seventh, fifty-sixth, sixty-ninth, and eighty-seventh defenses.

TACP takes no position at this time as to whether any of the Plaintiffs' claims against TACP are barred, in whole or in part, by TACP's sixth, thirteenth, fourteenth, fifteenth, twenty-first, fifty-sixth, sixty-ninth, and eighty-seventh defenses.

TACP takes no position at this time as to whether any of the Plaintiffs' claims against TACP are barred, in whole or in part, by TACP's thirty-first and thirty-second defenses. TACP reserves the right to develop these defenses should parties to this litigation reach settlement agreements.

Regarding TACP's thirty-seventh defense, TACP refers Plaintiffs to evidence provided in this litigation, including but not limited to: TSB-CRT-00018162 and Transcript of Rule 30(b)(6) Deposition of Toshiba Corp. at, *inter alia*, 64:20-65:2, *In re: Cathode Ray Tube (CRT) Antitrust Litig.*, Case No. 03:07-cv-05944-SC, MDL No. 1917 (N.D. Cal.), dated July 30, 2012.

Discovery is ongoing. TACP reserves the right to supplement, amend, expand, correct, or clarify these objections and responses to this Interrogatory and to assert additional general and specifics objections arising from matters discovered during the course of the litigation.

INTERROGATORY NO. 8:

For each year during the Class Period, state by year how many CRTs (in both number of units and revenue in U.S. dollars) that You: (a) billed to and shipped to the United States; (b) billed to an address in the United States, but shipped to a location outside of the United States; (c) shipped to an address in the United States, but billed to a location outside of the United States; and (d) shipped and billed to a location outside of the United States.

CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, TACP objects to Interrogatory No. 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP further objects to Interrogatory No. 8 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 8 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TACP further objects to Interrogatory No. 8 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

Subject to and without waiving the objections stated above, TACP states that it did not bill, ship, or sell CRTs during the relevant period.

INTERROGATORY NO. 9:

For each year during the Class Period, state by year how many CRT Products (in both number of units and revenue in U.S. dollars) that You: (a) billed to and shipped to the United States; (b) billed to an address in the United States, but shipped to a location outside of the United States; (c) shipped to an address in the United States, but billed to a location outside of the United States; and (d) shipped and billed to a location outside of the United States.

RESPONSE:

In addition to its General Objections listed above, TACP objects to Interrogatory No. 9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

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1 TACP also objects to Interrogatory No. 9 to the extent that it seeks disclosure of
2 documents or information that is not within TACP's possession, custody, or control.

3 TACP further objects to Interrogatory No. 9 to the extent that it seeks information
4 regarding sales outside the United States and unrelated to United States commerce, as such
5 sales are beyond the scope of this litigation and requesting such information renders
6 Interrogatory No. 9 overly broad, unduly burdensome, and not reasonably calculated to lead
7 to the discovery of admissible evidence.

8 Subject to and without waiving the objections stated above, TACP refers Plaintiffs to
9 documents and information previously produced by TACP in this litigation in response to
10 Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
11 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
12 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
13 Set of Interrogatories.

14 **INTERROGATORY NO. 10:**

15 For each year during the Class Period, state by year how many CRTs (in both number
16 of units and revenue in U.S. dollars) that You shipped to and/or billed to an electronic
17 manufacturing service, original design manufacturer, or system integrator for integration into
18 CRT Products to be sold in the United States.

19 **RESPONSE:**

20 In addition to its General Objections listed above, TACP objects to Interrogatory No.
21 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
22 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

23 TACP also objects to Interrogatory No. 10 to the extent that it seeks disclosure of
24 documents or information that is not within TACP's possession, custody, or control.

25 TACP objects to the terms "electronic manufacturing service," "original design
26 manufacturer," and "system integrator" because they are vague, overbroad, and unduly
27 burdensome.

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1 TACP also objects to Interrogatory No. 10 to the extent that it seeks information
2 regarding sales outside the United States and unrelated to United States commerce, as such
3 sales are beyond the scope of this litigation and requesting such information renders
4 Interrogatory No. 10 overly broad, unduly burdensome, and not reasonably calculated to lead
5 to the discovery of admissible evidence.

6 TACP further objects to Interrogatory No. 10 on the ground that it is duplicative of
7 discovery served in this litigation, which is in contravention of the Discovery Protocol,
8 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
9 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
10 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
11 Set of Interrogatories.

12 Subject to and without waiving the objections stated above, TACP refers Plaintiffs to
13 its Response to Interrogatory No. 8.

14 **INTERROGATORY NO. 11:**

15 For each year during the Class Period, state by year Your total worldwide dollar
16 amount of sales of CRTs, both in the aggregate and by size of the CRT.

17 **RESPONSE:**

18 In addition to its General Objections listed above, TACP objects to Interrogatory No.
19 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
20 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

21 TACP also objects to Interrogatory No. 11 because it prematurely seeks expert
22 opinion.

23 TACP also objects to Interrogatory No. 11 to the extent that it seeks information
24 regarding sales outside the United States and unrelated to United States commerce, as such
25 sales are beyond the scope of this litigation and requesting such information renders
26 Interrogatory No. 11 overly broad, unduly burdensome, and not reasonably calculated to lead
27 to the discovery of admissible evidence.
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1 TACP further objects to Interrogatory No. 11 on the ground that it is duplicative of
2 discovery served in this litigation, which is in contravention of the Discovery Protocol,
3 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
4 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
5 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
6 Set of Interrogatories.

7 Subject to and without waiving the objections stated above, TACP refers Plaintiffs to
8 its Response to Interrogatory No. 8.

9 **INTERROGATORY NO. 12:**

10 For each year during the Class Period, state by year Your total worldwide dollar
11 amount of sales of CRTs, by size and by country of destination.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TACP objects to Interrogatory No.
14 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TACP also objects to Interrogatory No. 12 because it prematurely seeks expert
17 opinion.

18 TACP also objects to Interrogatory No. 12 to the extent that it seeks information
19 regarding sales outside the United States and unrelated to United States commerce, as such
20 sales are beyond the scope of this litigation and requesting such information renders
21 Interrogatory No. 12 overly broad, unduly burdensome, and not reasonably calculated to lead
22 to the discovery of admissible evidence.

23 TACP further objects to Interrogatory No. 12 on the ground that it is duplicative of
24 discovery served in this litigation, which is in contravention of the Discovery Protocol,
25 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
26 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
27 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
28 Set of Interrogatories.

TOSHIBA AMERICA CONSUMER PRODUCTS, L.L.C.'S OBJECTIONS AND RESPONSES
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1 Subject to and without waiving the objections stated above, TACP refers Plaintiffs to
2 its Response to Interrogatory No. 8.

3 **INTERROGATORY NO. 13:**

4 For each year during the Class Period, state by year Your total worldwide dollar
5 amount of sales of CRT Products, both in the aggregate and by the size and type of CRT
6 Product.

7 **RESPONSE:**

8 In addition to its General Objections listed above, TACP objects to Interrogatory No.
9 13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
10 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

11 TACP also objects to Interrogatory No. 13 because it prematurely seeks expert
12 opinion.

13 TACP further objects to Interrogatory No. 13 to the extent that it seeks information
14 regarding sales outside the United States and unrelated to United States commerce, as such
15 sales are beyond the scope of this litigation and requesting such information renders
16 Interrogatory No. 13 overly broad, unduly burdensome, and not reasonably calculated to lead
17 to the discovery of admissible evidence.

18 Subject to and without waiving the objections stated above, TACP refers Plaintiffs to
19 documents and information previously produced by TACP in this litigation in response to
20 Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
21 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
22 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
23 Set of Interrogatories.

24 **INTERROGATORY NO. 14:**

25 For each year during the Class Period, state by year Your total dollar amount of sales
26 of CRT Products by the size and type of CRT Products sold and by country of destination.
27
28

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In addition to its General Objections listed above, TACP objects to Interrogatory No. 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 14 because it prematurely seeks expert opinion.

TACP further objects to Interrogatory No. 14 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 14 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the objections stated above, TACP refers Plaintiffs to documents and information previously produced by TACP in this litigation in response to Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

INTERROGATORY NO. 15:

For each year during the Class Period, state by year Your dollar amount of sales of CRTs in the United States, both in the aggregate and by size of the CRT.

RESPONSE:

In addition to its General Objections listed above, TACP objects to Interrogatory No. 15 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 15 because it prematurely seeks expert opinion.

TACP further objects to Interrogatory No. 15 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol,

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1 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
2 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
3 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
4 Set of Interrogatories.

5 Subject to and without waiving the objections stated above, TACP refers Plaintiffs to
6 its Response to Interrogatory No. 8.

7 **INTERROGATORY NO. 16:**

8 For each year during the Class Period, state by year Your dollar amount of sales of
9 CRT Products in the United States, both in the aggregate and by the size and type of the CRT
10 Product.

11 **RESPONSE:**

12 In addition to its General Objections listed above, TACP objects to Interrogatory No.
13 16 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
14 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

15 TACP also objects to Interrogatory No. 16 because it prematurely seeks expert
16 opinion.

17 TACP further objects to Interrogatory No. 16 to the extent that it seeks disclosure of
18 documents or information that is not within TACP's possession, custody, or control.

19 Subject to and without waiving the objections stated above, TACP refers Plaintiffs to
20 documents and information previously produced by TACP in this litigation in response to
21 Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
22 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
23 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
24 Set of Interrogatories.

25 **INTERROGATORY NO. 17:**

26 For the sales of CRT Products identified in Interrogatory No. 16, state the value of the
27 CRT included in the CRT Product sales price.

28
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CONFIDENTIAL**RESPONSE:**

In addition to its General Objections listed above, TACP objects to Interrogatory No. 17 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP further objects to Interrogatory No. 17 to the extent it seeks the disclosure of documents or information that is not within TACP's possession, custody, or control.

TACP also objects to Interrogatory No. 17 because it prematurely seeks expert opinion.

TACP further objects to Interrogatory No. 17 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 18:

For each year during the Class Period, state by year Your sales of CRTs to any other Defendant by size and by country of destination.

RESPONSE:

In addition to its General Objections listed above, TACP objects to Interrogatory No. 18 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP further objects to Interrogatory No. 18 to the extent that it seeks disclosure of documents or information that is not within TACP's possession, custody, or control.

TACP also objects to Interrogatory No. 18 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 18 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TACP further objects to Interrogatory No. 18 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol,

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1 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
2 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
3 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
4 Set of Interrogatories.

5 TACP further objects to Interrogatory No. 18 pursuant to Rule 33(a)(1), which limits
6 the number of interrogatories that may be served by one party on another party to 25 (twenty-
7 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
8 of Rule 33(a)(1).

9 **INTERROGATORY NO. 19:**

10 For each year during the Class Period, state by year Your sales of CRT Products to
11 any other Defendant by the size and type of CRT Products sold and by country of destination.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TACP objects to Interrogatory No.
14 19 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TACP further objects to Interrogatory No. 19 to the extent that it seeks disclosure of
17 documents or information that is not within TACP's possession, custody, or control.

18 TACP further objects to Interrogatory No. 19 to the extent that it seeks information
19 regarding sales outside the United States and unrelated to United States commerce, as such
20 sales are beyond the scope of this litigation and requesting such information renders
21 Interrogatory No. 19 overly broad, unduly burdensome, and not reasonably calculated to lead
22 to the discovery of admissible evidence.

23 TACP further objects to Interrogatory No. 19 on the ground that it is duplicative of
24 discovery served in this litigation, which is in contravention of the Discovery Protocol,
25 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
26 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
27 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
28 Set of Interrogatories.

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1 TACP further objects to Interrogatory No. 19 pursuant to Rule 33(a)(1), which limits
2 the number of interrogatories that may be served by one party on another party to 25 (twenty-
3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
4 of Rule 33(a)(1)

5 **INTERROGATORY NO. 20:**

6 For each year during the Class Period, state in U.S. dollars and by year Your business
7 profits and losses realized from sales of CRTs by size and by country of destination, and Your
8 profits and losses for Your business as a whole.

9 **RESPONSE:**

10 In addition to its General Objections listed above, TACP objects to Interrogatory No.
11 20 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
12 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

13 TACP also objects to Interrogatory No. 20 because it prematurely seeks expert
14 opinion.

15 TACP further objects to Interrogatory No. 20 to the extent that it seeks information
16 regarding sales outside the United States and unrelated to United States commerce, as such
17 sales are beyond the scope of this litigation and requesting such information renders
18 Interrogatory No. 20 overly broad, unduly burdensome, and not reasonably calculated to lead
19 to the discovery of admissible evidence.

20 TACP further objects to Interrogatory No. 20 on the ground that it is duplicative of
21 discovery served in this litigation, which is in contravention of the Discovery Protocol,
22 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
23 Documents; Request Nos. 5, 9, 16, and 22 of Direct Purchaser Plaintiffs' Second Set of
24 Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
25 Plaintiffs' First Set of Interrogatories.

26 TACP further objects to Interrogatory No. 20 pursuant to Rule 33(a)(1), which limits
27 the number of interrogatories that may be served by one party on another party to 25 (twenty-
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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
2 of Rule 33(a)(1).

3 **INTERROGATORY NO. 21:**

4 For each year during the Class Period, state in U.S. dollars and by year Your business
5 profits and losses realized from sales of CRT Products by size and type of CRT Products sold
6 and by country of destination, and Your profits and losses for Your business as a whole.

7 **RESPONSE:**

8 In addition to its General Objections listed above, TACP objects to Interrogatory No.
9 21 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
10 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

11 TACP also objects to Interrogatory No. 21 to the extent that it seeks disclosure of
12 documents or information that is not within TACP's possession, custody, or control.

13 TACP further objects to Interrogatory No. 21 to the extent that it seeks information
14 regarding sales outside the United States and unrelated to United States commerce, as such
15 sales are beyond the scope of this litigation and requesting such information renders
16 Interrogatory No. 21 overly broad, unduly burdensome, and not reasonably calculated to lead
17 to the discovery of admissible evidence.

18 TACP further objects to Interrogatory No. 21 on the ground that it is duplicative of
19 discovery served in this litigation, which is in contravention of the Discovery Protocol,
20 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
21 Documents; Request Nos. 5, 9, 16, and 22 of Direct Purchaser Plaintiffs' Second Set of
22 Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
23 Plaintiffs' First Set of Interrogatories.

24 TACP further objects to Interrogatory No. 21 pursuant to Rule 33(a)(1), which limits
25 the number of interrogatories that may be served by one party on another party to 25 (twenty-
26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
27 of Rule 33(a)(1).

28
TOSHIBA AMERICA CONSUMER PRODUCTS, L.L.C.'S OBJECTIONS AND RESPONSES
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To the extent that You contend that prior to November 2007 Plaintiffs knew, should have known, or were not reasonably diligent in discovery regarding the allegations in their Complaint, identify all Evidence upon which You intend to rely to prove such contention.

RESPONSE:

In addition to its General Objections listed above, TACP objects to Interrogatory No. 22 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP further objects to Interrogatory No. 22 to the extent it seeks information which is equally accessible to Plaintiffs as to TACP, or which has already been produced by TACP or by other parties in this litigation.

TACP further objects to Interrogatory No. 22 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol.

TACP further objects to Interrogatory No. 22 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 23:

To the extent that You contend that You provided false information, or false commitments relating to pricing or production of CRTs to competitors at Glass Meetings or Bilateral Meetings with those competitors, identify each instance that you provided false information or a false commitment and any Evidence related to it.

RESPONSE:

In addition to its General Objections listed above, TACP objects to Interrogatory No. 23 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

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1 TACP further objects to the terms “Glass Meetings” and Bilateral Meetings” because
2 they are vague, overly broad, unduly burdensome and seeks information that is neither
3 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

4 TACP further objects to the term “competitors” because it is vague, overly broad,
5 unduly burdensome, and seeks information that is neither relevant nor reasonably calculated
6 to lead to the discovery of admissible evidence.

7 TACP further objects to Interrogatory No. 23 to the extent that it assumes TACP
8 engaged in a conspiracy.

9 TACP further objects to Interrogatory No. 23 pursuant to Rule 33(a)(1), which limits
10 the number of interrogatories that may be served by one party on another party to 25 (twenty-
11 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
12 of Rule 33(a)(1).

13 **INTERROGATORY NO. 24:**

14 To the extent that you contend that a competitor provided false information or a false
15 commitment relating to pricing or production of CRTs to You at Glass Meetings or Bilateral
16 Meetings, identify each instance, where such false information or false commitment was
17 provided to You and any Evidence related to it.

18 **RESPONSE:**

19 In addition to its General Objections listed above, TACP objects to Interrogatory No.
20 24 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
21 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

22 TACP further objects to the terms “Glass Meetings” and Bilateral Meetings” because
23 they are vague, overly broad, unduly burdensome and seeks information that is neither
24 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

25 TACP further objects to the term “competitors” because it is vague, overly broad,
26 unduly burdensome, and seeks information that is neither relevant nor reasonably calculated
27 to lead to the discovery of admissible evidence.

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1 TACP further objects to Interrogatory No. 24 to the extent that it assumes TACP
2 engaged in a conspiracy.

3 TACP further objects to Interrogatory No. 24 pursuant to Rule 33(a)(1), which limits
4 the number of interrogatories that may be served by one party on another party to 25 (twenty-
5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 25:**

8 If Your response to any of the Indirect Purchaser Plaintiffs' First Set of Requests for
9 Admission was anything other than an unqualified admission, separately for each Request for
10 Admission:

11 (a) state the number of the request for admission;

12 (b) state all facts upon which You base Your response;

13 (c) identify all Evidence upon which You intend to rely to support your response; and

14 (d) identify each person who has knowledge of the facts upon which you base your
15 response

16 **RESPONSE:**

17 In addition to its General Objections listed above, TACP objects to Interrogatory No.
18 25 because it is vague, overly broad, unduly burdensome and oppressive, and seeks
19 information that is not reasonably calculated to lead to the discovery of admissible
20 evidence.

21 TACP also objects to Interrogatory No. 25 to the extent that it seeks the disclosure of
22 information that is not within TACP's possession, custody, or control and because any such
23 information is equally accessible to the Plaintiffs as to TACP

24 TACP further objects to Interrogatory No. 25 pursuant to Rule 33(a)(1), which limits
25 the number of interrogatories that may be served by one party on another party to 25
26 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
27 interrogatory limit of Rule 33(a)(1).
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2 Dated: September 5, 2014

WHITE & CASE^{LLP}

3
4 By: 

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TOSHIBA AMERICA CONSUMER PRODUCTS, L.L.C.'S OBJECTIONS AND RESPONSES
TO INDIRECT-PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANTS

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CONFIDENTIAL**CERTIFICATE OF SERVICE**

On September 5, 2014, I caused a copy of the “TOSHIBA AMERICA CONSUMER PRODUCTS, L.L.C.’S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO DEFENDANTS” to be served via e-mail upon:

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TOSHIBA AMERICA CONSUMER PRODUCTS, L.L.C.’S OBJECTIONS AND RESPONSES
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TOSHIBA AMERICA CONSUMER PRODUCTS, L.L.C.'S OBJECTIONS AND RESPONSES
TO INDIRECT-PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANTS

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Exhibit 4-E

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12 *Counsel to Defendant*

13 *Toshiba America Electronic Components, Inc.*

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 (SAN FRANCISCO DIVISION)

17 IN RE: CATHODE RAY TUBE (CRT)
18 ANTITRUST LITIGATION

19 Case No. 07-5944 SC
20 MDL No. 1917

21 This Document Relates to:

22 ALL INDIRECT-PURCHASER ACTIONS

23 **TOSHIBA AMERICA
24 ELECTRONIC COMPONENTS,
25 INC.'S OBJECTIONS AND
26 RESPONSES TO INDIRECT-
27 PURCHASER PLAINTIFFS'
28 FIRST SET OF
INTERROGATORIES TO
DEFENDANTS**

TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.'S OBJECTIONS AND RESPONSES
TO INDIRECT-PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANTS

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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's
2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court
3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America
4 Electronic Components, Inc. ("TAEC") hereby submits the following Objections and
5 Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories to Defendants, dated
6 August 1, 2014 (the "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the
8 above caption. Each response is subject to all objections as to relevance, materiality and
9 admissibility, and to any and all objections on any ground that would require exclusion of any
10 response if it were introduced in court. All evidentiary objections and grounds are expressly
11 reserved.

12 Each of the following responses is made on the basis of the information available at
13 the time of service of the responses. TAEC's responses to these Interrogatories are subject to
14 the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the
15 "Protective Order"). TAEC's responses are hereby designated "Confidential" in accordance
16 with the provisions of the Protective Order.

GENERAL OBJECTIONS

17
18 1. TAEC objects to the Interrogatories, including the Definitions and Instructions
19 provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case
20 Management Protocol, Docket number 1128 in the MDL.

21 2. TAEC objects to the Interrogatories, including the Definitions and Instructions
22 provided therein, to the extent they purport to impose obligations beyond those required or
23 permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil
24 Proceedings before the United States District Court for the Northern District of California or
25 to the extent it is outside the scope of any order or opinion of this Court.

26 3. TAEC objects to the Interrogatories, including the Definitions and Instructions
27 provided therein, to the extent they call for the production of documents or information that
28 relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably
2 calculated to lead to the discovery of admissible evidence.

3 4. TAEC objects to the Interrogatories, including the Definitions and Instructions
4 provided therein, to the extent they are overly broad, unduly burdensome, vague, or
5 ambiguous. TAEC further objects to the Interrogatories, including the Definitions and
6 Instructions provided therein, to the extent they purport to seek discovery of information from
7 disaster recovery systems and archives.

8 5. TAEC objects to the Interrogatories, including the Definitions and Instructions
9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TAEC objects to the Interrogatories, including the Definitions and Instructions
11 provided therein, to the extent they call for publicly available information.

12 7. TAEC objects to the Interrogatories, including the Definitions and Instructions
13 provided therein, to the extent they seek information or documents protected by the attorney-
14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,
15 immunity, or rule (collectively, "Privileged Information"). TAEC will not disclose any
16 Privileged Information in response to any Interrogatory. TAEC does not intend by these
17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent
18 production of such material or information is not intended to, and shall not, constitute a
19 general or specific waiver in whole or in part of those privileges or protections as to material
20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent
21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such
22 document or information.

23 8. TAEC objects to the Interrogatories, including the Definitions and Instructions
24 provided therein, to the extent they seek information, the disclosure of which would violate
25 applicable law, including, but not limited to, privacy laws. In providing any response, TAEC
26 does so only to the extent allowable under applicable law.

27 9. TAEC objects to the Interrogatories, including the Definitions and Instructions
28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1 10. TAEC objects to the Interrogatories, including the Definitions and Instructions
2 provided therein, to the extent they seek documents or information, the disclosure of which is
3 prohibited by contractual obligations or agreements between TAEC and third parties.

4 11. TAEC objects to the Interrogatories, including the Definitions and Instructions
5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of
6 the costs imposed on TAEC weighed against the Plaintiffs' need for the information.

7 12. TAEC objects to the Interrogatories, including the Definitions and Instructions
8 provided therein, to the extent they seek disclosure of documents or information not
9 reasonably accessible to TAEC.

10 13. TAEC objects to the Interrogatories, including the Definitions and Instructions
11 provided therein, to the extent they seek information which is equally accessible to Plaintiffs
12 as to TAEC, or which has already been produced by other parties.

13 14. TAEC objects to the Interrogatories, including the Definitions and Instructions
14 provided therein, to the extent they seek information, the disclosure of which is prohibited by
15 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the
16 documents or information are located.

17 15. TAEC objects to the Interrogatories, including the Definitions and Instructions
18 provided therein, to the extent they seek disclosure of documents or information that is not
19 within TAEC's possession, custody, or control.

20 16. TAEC objects to the Interrogatories, including the Definitions and Instructions
21 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or
22 Document Requests.

23 17. TAEC objects to the Interrogatories pursuant to Civil L.R. 33-2, which states
24 that "a demand that a party set forth the basis for a denial of an admission requested under
25 Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is
26 allowable only to the extent that a party is entitled to propound additional interrogatories."

27 18. TAEC objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the
28 number of interrogatories that may be served by one party on another party to 25 (twenty-

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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
2 of Rule 33(a)(1).

3 19. TAEC's response to the Interrogatories is not intended to be, and shall not be
4 construed as, an agreement or concurrence by TAEC with the Plaintiffs' characterization of
5 any facts, circumstances, or legal obligations. TAEC reserves the right to contest any such
6 characterization. TAEC further objects to the Interrogatories to the extent they contain
7 express or implied assumptions of fact or law with respect to matters at issue in the case.

8 20. TAEC objects to the Interrogatories, including the Definitions and Instructions
9 provided herein, to the extent they seek the discovery of information regarding TAEC's sales
10 outside the United States and unrelated to United States commerce, as such sales are beyond
11 the scope of this litigation and production of such information would render these
12 interrogatories overly broad, unduly burdensome and not reasonably calculated to lead to the
13 discovery of admissible evidence. TAEC also objects to the Interrogatories to the extent they
14 seek discovery of information that is beyond the scope of the Sherman Antitrust Act, 15
15 U.S.C. § 1. TAEC will only produce responsive, non-privileged information and documents
16 that relate to TAEC's sales, if any, of CRTs or CRT Products that are shipped to the United
17 States or that related to activity with a direct, substantial and reasonably foreseeable effect on
18 U.S. commerce and that can be located through a reasonable search.

19 21. TAEC objects to the Interrogatories on the basis that Plaintiffs bear the burden
20 of proof to establish standing; TAEC has no obligations to disprove standing and cannot be
21 compelled to disprove it.

22 22. TAEC objects to the Interrogatories to the extent that the Interrogatories intend
23 to imply that TAEC bears the burden of proof for each of the defenses cited in its Answer.

24 23. TAEC objects to the defined terms "Bilateral Meeting," "Communication,"
25 "Employee," "Evidence," "Glass Meeting," "Law Enforcement Agents," and "Meeting"
26 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated
27 to lead to the discovery of admissible evidence.
28

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1 24. TAEC objects to the defined term “Defendant” because the incorporation of
2 any or all of the terms “present or former directors, officers, employees, agents,
3 representatives, or any persons acting or purporting to act on behalf of the defendant” into the
4 definition renders each Interrogatory incorporating any of the defined terms overly broad and
5 unduly burdensome, as they call for information that is not relevant to the claim or defense or
6 any party, not relevant to the subject matter involved in this action and not reasonably
7 calculated to lead to the discovery of admissible evidence, and because they improperly
8 purport to seek information from distinct persons not parties to the case and not controlled by
9 TAEC.

10 25. TAEC objects to the defined term “Document” as vague, ambiguous, overly
11 broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible
12 evidence and inconsistent with the definition in Rule 34(a)(1)(A) of the Federal Rules of Civil
13 Procedure. TAEC further objects to this definition on the ground that it seeks original
14 documents or purports to require the production of documents in a specified medium or
15 format, including to the extent it purports to impose obligations on TAEC beyond those
16 required by the Production of Electronically Stored Information (“ESI”), Docket No. 828 in
17 the MDL.

18 26. TAEC objects to the defined terms “You” and “Your” because they are vague,
19 overly broad, and unduly burdensome, because they include entities not controlled by TAEC,
20 because they seek information that is neither relevant nor reasonably calculated to lead to the
21 discovery of admissible information, and, in addition, because they improperly purport to seek
22 information from distinct corporate entities and persons not parties to the case and not
23 controlled by TAEC. TAEC further objects to the definitions of “You” and “Your” because
24 the incorporation of any or all of the terms “subsidiaries,” “departments,” “divisions,”
25 “affiliates,” “employees,” “agents,” or “representatives” into the definitions renders the
26 Interrogatories overly broad and unduly burdensome because it calls for information that is
27 not relevant to the claim or defense of any party, because it is not relevant to the subject
28 matter involved in this action, because it is not reasonably calculated to lead to the discovery

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1 of admissible evidence, and because it improperly purports to seek information from entities
2 that are neither parties to the case, nor controlled by TAEC.

3 27. TAEC objects to the defined term "Class Period" to the extent that it exceeds
4 the "Class Period" defined in the Complaints, because it is overly broad, unduly burdensome,
5 not relevant and not reasonably calculated to lead to the discovery of admissible evidence.
6 TAEC also objects to the definition of "Class Period" because it is well beyond the relevant
7 statute of limitations. TAEC further objects to the term "Class Period" to the extent that it
8 seeks documents created after this litigation began. For the purposes of responding to these
9 Interrogatories, TAEC will interpret the term "Class Period" as referring to the "Class Period"
10 defined in the Complaints, which is March 1, 1995 to November 25, 2007.

11 28. Discovery is ongoing. This response is being made after reasonable inquiry
12 into the relevant facts, and is based upon the information presently known to TAEC. Further
13 investigation and discovery may result in the identification of additional information or
14 contentions, and TAEC expressly reserves all rights to amend its responses and objections to
15 Indirect Purchaser Plaintiffs' First Set of Interrogatories as necessary. TAEC's responses
16 should not be construed to prejudice its right to conduct further investigation in this case, or to
17 limit TAEC's use of any additional evidence that may be developed.

18 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

19 **INTERROGATORY NO. 1:**

20 Have You ever participated in any conspiracy to fix prices, limit production or
21 capacity, allocate customers and/or allocate market share of CRTs?

22 **RESPONSE:**

23 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
24 1 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
25 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

26 Subject to and without waiving the objections stated above, TAEC denies ever
27 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
28 and/or allocate market share of CRTs.

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If You contend that You withdrew from any CRT Conspiracy, state:

(a) Why You withdrew from the conspiracy;

(b) What specific acts You took to withdraw from the CRT Conspiracy;

(c) Any co-conspirators or Law Enforcement Agents to whom You communicated
Your withdrawal; and

(d) Who withdrew from the CRT Conspiracy on your behalf

RESPONSE:

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 2 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to the term "CRT Conspiracy" because it is vague, ambiguous, overly broad, unduly burdensome and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the objections stated above, TAEC denies ever participating in any conspiracy to fix prices, limit production or capacity, allocate customers, and/or allocate market share of CRTs.

INTERROGATORY NO. 3:

If Your answer to Interrogatory No. 2, above, is in the affirmative, identify all Evidence upon which You intend to rely to prove such contention.

RESPONSE:

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 3 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 3 to the extent it seeks "all Evidence" on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

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1 Subject to and without waiving the objections stated above, TAEC denies ever
2 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
3 and/or allocate market share of CRTs.

4 **INTERROGATORY NO. 5:**

5 Indicate whether You were notified at any time by any co-conspirator of any co-
6 conspirator's intent to withdraw from the CRT Conspiracy?

7 **RESPONSE:**

8 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
9 5 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
10 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

11 TAEC also objects to the term "CRT Conspiracy" because it is vague, ambiguous,
12 overly broad, unduly burdensome, and seeks information that is neither relevant nor
13 reasonably calculated to lead to the discovery of admissible evidence.

14 TAEC further objects to the term "co-conspirator" because it is vague, ambiguous,
15 overly broad, unduly burdensome, and seeks information that is neither relevant nor
16 reasonably calculated to lead to the discovery of admissible evidence.

17 TAEC further objects to Interrogatory No. 5 to the extent that it assumes TAEC
18 engaged in a conspiracy.

19 Subject to and without waiving the objections stated above, TAEC denies ever
20 participating in any conspiracy to fix prices, limit production or capacity, allocate customers,
21 and/or allocate market share of CRTs.

22 **INTERROGATORY NO. 6:**

23 If Your answer to Interrogatory No. 5 above, is in the affirmative, describe all
24 communication(s) between You and any person(s) regarding any co-conspirator's intent to
25 withdraw from the conspiracy, and identify all Evidence regarding such communications.
26
27
28

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In addition to its General Objections listed above, TAEC objects to Interrogatory No. 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to the term “co-conspirator” because it is vague, ambiguous, overly broad, unduly burdensome and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC further objects to Interrogatory No. 6 to the extent that it assumes TAEC engaged in a conspiracy.

Subject to and without waiving the objections stated above, TAEC denies ever participating in any conspiracy to fix prices, limit production or capacity, allocate customers, and/or allocate market share of CRTs.

INTERROGATORY NO. 7:

For each affirmative defense in your Answer, identify all Evidence supporting that defense, or state that the defense will no longer be asserted.

RESPONSE:

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 7 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 7 to the extent it seeks “all Evidence” on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAEC further objects to Interrogatory No. 7 because requesting “all Evidence” for “each affirmative defense in your Answer” constitutes as more than one interrogatory under Rule 33(a)(1) of the Federal Rules of Civil Procedure.

TAEC further objects to Interrogatory No. 7 to the extent it calls for legal conclusions.

Subject to and without waiving the objections stated above, TAEC identifies the affirmative defenses enumerated in its Answer to the Indirect Purchaser Plaintiffs’ Complaint

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1 (ECF No. 852), including, but not limited to, TAEC's sixth, thirteenth, fourteenth, fifteenth,
 2 twenty-first, thirty-first, thirty-second, thirty-seventh, fifty-sixth, sixty-ninth, and eighty-
 3 seventh defenses.

4 TAEC takes no position at this time as to whether any of the Plaintiffs' claims against
 5 TAEC are barred, in whole or in part, by TAEC's sixth, thirteenth, fourteenth, fifteenth,
 6 twenty-first, fifty-sixth, sixty-ninth, and eighty-seventh defenses.

7 TAEC takes no position at this time as to whether any of the Plaintiffs' claims against
 8 TAEC are barred, in whole or in part, by TAEC's thirty-first and thirty-second defenses.
 9 TAEC reserves the right to develop these defenses should parties to this litigation reach
 10 settlement agreements.

11 Regarding TAEC's thirty-seventh defense, TAEC refers Plaintiffs to evidence
 12 provided in this litigation, including but not limited to: TSB-CRT-00018162 and Transcript of
 13 Rule 30(b)(6) Deposition of Toshiba Corp. at, *inter alia*, 64:20-65:2, *In re: Cathode Ray Tube*
 14 *(CRT) Antitrust Litig.*, Case No. 03:07-cv-05944-SC, MDL No. 1917 (N.D. Cal.), dated July
 15 30, 2012.

16 Discovery is ongoing. TAEC reserves the right to supplement, amend, expand,
 17 correct, or clarify these objections and responses to this Interrogatory and to assert additional
 18 general and specifics objections arising from matters discovered during the course of the
 19 litigation.

20 **INTERROGATORY NO. 8:**

21 For each year during the Class Period, state by year how many CRTs (in both number
 22 of units and revenue in U.S. dollars) that You: (a) billed to and shipped to the United States;
 23 (b) billed to an address in the United States, but shipped to a location outside of the United
 24 States; (c) shipped to an address in the United States, but billed to a location outside of the
 25 United States; and (d) shipped and billed to a location outside of the United States.

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In addition to its General Objections listed above, TAEC objects to Interrogatory No. 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC further objects to Interrogatory No. 8 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 8 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the objections stated above, TAEC refers Plaintiffs to documents and information previously produced by TAEC in this litigation in response to Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First Set of Interrogatories.

INTERROGATORY NO. 9:

For each year during the Class Period, state by year how many CRT Products (in both number of units and revenue in U.S. dollars) that You: (a) billed to and shipped to the United States; (b) billed to an address in the United States, but shipped to a location outside of the United States; (c) shipped to an address in the United States, but billed to a location outside of the United States; and (d) shipped and billed to a location outside of the United States.

RESPONSE:

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 9 to the extent that it seeks disclosure of documents or information that is not within TAEC's possession, custody, or control.

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1 TAEC further objects to Interrogatory No. 9 to the extent that it seeks information
2 regarding sales outside the United States and unrelated to United States commerce, as such
3 sales are beyond the scope of this litigation and requesting such information renders
4 Interrogatory No. 9 overly broad, unduly burdensome, and not reasonably calculated to lead
5 to the discovery of admissible evidence.

6 TAEC further objects to Interrogatory No. 9 on the ground that it is duplicative of
7 discovery served in this litigation, which is in contravention of the Discovery Protocol,
8 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
9 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
10 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
11 Set of Interrogatories.

12 Subject to and without waiving the objections stated above, TAEC states that it did not
13 bill, ship, or sell CRT Products during the relevant period.

14 **INTERROGATORY NO. 10:**

15 For each year during the Class Period, state by year how many CRTs (in both number
16 of units and revenue in U.S. dollars) that You shipped to and/or billed to an electronic
17 manufacturing service, original design manufacturer, or system integrator for integration into
18 CRT Products to be sold in the United States.

19 **RESPONSE:**

20 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
21 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
22 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

23 TAEC also objects to Interrogatory No. 10 to the extent that it seeks disclosure of
24 documents or information that is not within TAEC's possession, custody, or control.

25 TAEC objects to the terms "electronic manufacturing service," "original design
26 manufacturer," and "system integrator" because they are vague, overbroad, and unduly
27 burdensome.

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1 TAEC also objects to Interrogatory No. 10 to the extent that it seeks information
2 regarding sales outside the United States and unrelated to United States commerce, as such
3 sales are beyond the scope of this litigation and requesting such information renders
4 Interrogatory No. 10 overly broad, unduly burdensome, and not reasonably calculated to lead
5 to the discovery of admissible evidence.

6 Subject to and without waiving the objections stated above, TAEC refers Plaintiffs to
7 documents and information previously produced by TAEC in this litigation in response to
8 Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
9 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
10 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
11 Set of Interrogatories.

12 **INTERROGATORY NO. 11:**

13 For each year during the Class Period, state by year Your total worldwide dollar
14 amount of sales of CRTs, both in the aggregate and by size of the CRT.

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
17 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
18 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

19 TAEC also objects to Interrogatory No. 11 because it prematurely seeks expert
20 opinion.

21 TAEC also objects to Interrogatory No. 11 to the extent that it seeks information
22 regarding sales outside the United States and unrelated to United States commerce, as such
23 sales are beyond the scope of this litigation and requesting such information renders
24 Interrogatory No. 11 overly broad, unduly burdensome, and not reasonably calculated to lead
25 to the discovery of admissible evidence.

26 Subject to and without waiving the objections stated above, TAEC refers Plaintiffs to
27 documents and information previously produced by TAEC in this litigation in response to
28 Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of

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1 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
2 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
3 Set of Interrogatories.

4 **INTERROGATORY NO. 12:**

5 For each year during the Class Period, state by year Your total worldwide dollar
6 amount of sales of CRTs, by size and by country of destination.

7 **RESPONSE:**

8 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
9 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
10 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

11 TAEC also objects to Interrogatory No. 12 because it prematurely seeks expert
12 opinion.

13 TAEC also objects to Interrogatory No. 12 to the extent that it seeks information
14 regarding sales outside the United States and unrelated to United States commerce, as such
15 sales are beyond the scope of this litigation and requesting such information renders
16 Interrogatory No. 12 overly broad, unduly burdensome, and not reasonably calculated to lead
17 to the discovery of admissible evidence.

18 Subject to and without waiving the objections stated above, TAEC refers Plaintiffs to
19 documents and information previously produced by TAEC in this litigation in response to,
20 Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
21 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
22 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
23 Set of Interrogatories.

24 **INTERROGATORY NO. 13:**

25 For each year during the Class Period, state by year Your total worldwide dollar
26 amount of sales of CRT Products, both in the aggregate and by the size and type of CRT
27 Product.

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In addition to its General Objections listed above, TAEC objects to Interrogatory No. 13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 13 because it prematurely seeks expert opinion.

TAEC further objects to Interrogatory No. 13 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 13 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the objections stated above, TAEC refers Plaintiffs to its Response to Interrogatory No. 9.

INTERROGATORY NO. 14:

For each year during the Class Period, state by year Your total dollar amount of sales of CRT Products by the size and type of CRT Products sold and by country of destination.

RESPONSE:

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 14 because it prematurely seeks expert opinion.

TAEC further objects to Interrogatory No. 14 to the extent that it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 14 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

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1 Subject to and without waiving the objections stated above, TAEC refers Plaintiffs to
2 its Response to Interrogatory No. 9.

3 **INTERROGATORY NO. 15:**

4 For each year during the Class Period, state by year Your dollar amount of sales of
5 CRTs in the United States, both in the aggregate and by size of the CRT.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
8 15 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAEC also objects to Interrogatory No. 15 because it prematurely seeks expert
11 opinion.

12 Subject to and without waiving the objections stated above, TAEC refers Plaintiffs to
13 documents and information previously produced by TAEC in this litigation in response to
14 Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
15 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
16 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
17 Set of Interrogatories.

18 **INTERROGATORY NO. 16:**

19 For each year during the Class Period, state by year Your dollar amount of sales of
20 CRT Products in the United States, both in the aggregate and by the size and type of the CRT
21 Product.

22 **RESPONSE:**

23 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
24 16 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
25 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

26 TAEC also objects to Interrogatory No. 16 because it prematurely seeks expert
27 opinion.
28

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1 TAEC further objects to Interrogatory No. 16 to the extent that it seeks disclosure of
2 documents or information that is not within TAEC's possession, custody, or control.

3 Subject to and without waiving the objections stated above, TAEC refers Plaintiffs to
4 its Response to Interrogatory No. 9.

5 **INTERROGATORY NO. 17:**

6 For the sales of CRT Products identified in Interrogatory No. 16, state the value of the
7 CRT included in the CRT Product sales price.

8 **RESPONSE:**

9 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
10 17 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
11 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

12 TAEC further objects to Interrogatory No. 17 to the extent it seeks the disclosure of
13 documents or information that is not within TAEC's possession, custody, or control.

14 TAEC also objects to Interrogatory No. 17 because it prematurely seeks expert
15 opinion.

16 TAEC further objects to Interrogatory No. 17 pursuant to Rule 33(a)(1), which limits
17 the number of interrogatories that may be served by one party on another party to 25 (twenty-
18 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
19 of Rule 33(a)(1).

20 **INTERROGATORY NO. 18:**

21 For each year during the Class Period, state by year Your sales of CRTs to any other
22 Defendant by size and by country of destination.

23 **RESPONSE:**

24 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
25 18 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
26 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

27 TAEC further objects to Interrogatory No. 18 to the extent that it seeks disclosure of
28 documents or information that is not within TAEC's possession, custody, or control.

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1 TAEC also objects to Interrogatory No. 18 to the extent that it seeks information
2 regarding sales outside the United States and unrelated to United States commerce, as such
3 sales are beyond the scope of this litigation and requesting such information renders
4 Interrogatory No. 18 overly broad, unduly burdensome, and not reasonably calculated to lead
5 to the discovery of admissible evidence.

6 TAEC further objects to Interrogatory No. 18 on the ground that it is duplicative of
7 discovery served in this litigation, which is in contravention of the Discovery Protocol,
8 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
9 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
10 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
11 Set of Interrogatories.

12 TAEC further objects to Interrogatory No. 18 pursuant to Rule 33(a)(1), which limits
13 the number of interrogatories that may be served by one party on another party to 25 (twenty-
14 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
15 of Rule 33(a)(1).

16 **INTERROGATORY NO. 19:**

17 For each year during the Class Period, state by year Your sales of CRT Products to
18 any other Defendant by the size and type of CRT Products sold and by country of destination.

19 **RESPONSE:**

20 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
21 19 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
22 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

23 TAEC further objects to Interrogatory No. 19 to the extent that it seeks disclosure of
24 documents or information that is not within TAEC's possession, custody, or control.

25 TAEC further objects to Interrogatory No. 19 to the extent that it seeks information
26 regarding sales outside the United States and unrelated to United States commerce, as such
27 sales are beyond the scope of this litigation and requesting such information renders
28

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1 Interrogatory No. 19 overly broad, unduly burdensome, and not reasonably calculated to lead
2 to the discovery of admissible evidence.

3 TAEC further objects to Interrogatory No. 19 on the ground that it is duplicative of
4 discovery served in this litigation, which is in contravention of the Discovery Protocol,
5 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
6 Documents; Request Nos. 5, 9, and 22 of Direct Purchaser Plaintiffs' Second Set of Requests
7 for Production of Documents; and Interrogatory No. 11 of Direct Purchaser Plaintiffs' First
8 Set of Interrogatories.

9 TAEC further objects to Interrogatory No. 19 pursuant to Rule 33(a)(1), which limits
10 the number of interrogatories that may be served by one party on another party to 25 (twenty-
11 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
12 of Rule 33(a)(1)

13 **INTERROGATORY NO. 20:**

14 For each year during the Class Period, state in U.S. dollars and by year Your business
15 profits and losses realized from sales of CRTs by size and by country of destination, and Your
16 profits and losses for Your business as a whole.

17 **RESPONSE:**

18 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
19 20 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
20 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

21 TAEC also objects to Interrogatory No. 20 because it prematurely seeks expert
22 opinion.

23 TAEC further objects to Interrogatory No. 20 to the extent that it seeks information
24 regarding sales outside the United States and unrelated to United States commerce, as such
25 sales are beyond the scope of this litigation and requesting such information renders
26 Interrogatory No. 20 overly broad, unduly burdensome, and not reasonably calculated to lead
27 to the discovery of admissible evidence.
28

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1 TAEC further objects to Interrogatory No. 20 on the ground that it is duplicative of
2 discovery served in this litigation, which is in contravention of the Discovery Protocol,
3 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of
4 Documents; Request Nos. 5, 9, 16, and 22 of Direct Purchaser Plaintiffs' Second Set of
5 Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
6 Plaintiffs' First Set of Interrogatories.

7 TAEC further objects to Interrogatory No. 20 pursuant to Rule 33(a)(1), which limits
8 the number of interrogatories that may be served by one party on another party to 25 (twenty-
9 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
10 of Rule 33(a)(1).

11 **INTERROGATORY NO. 21:**

12 For each year during the Class Period, state in U.S. dollars and by year Your business
13 profits and losses realized from sales of CRT Products by size and type of CRT Products sold
14 and by country of destination, and Your profits and losses for Your business as a whole.

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
17 21 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
18 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

19 TAEC also objects to Interrogatory No. 21 to the extent that it seeks disclosure of
20 documents or information that is not within TAEC's possession, custody, or control.

21 TAEC further objects to Interrogatory No. 21 to the extent that it seeks information
22 regarding sales outside the United States and unrelated to United States commerce, as such
23 sales are beyond the scope of this litigation and requesting such information renders
24 Interrogatory No. 21 overly broad, unduly burdensome, and not reasonably calculated to lead
25 to the discovery of admissible evidence.

26 TAEC further objects to Interrogatory No. 21 on the ground that it is duplicative of
27 discovery served in this litigation, which is in contravention of the Discovery Protocol,
28 including Request No. 5 of Direct Purchaser Plaintiffs' First Set of Requests for Production of

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1 Documents; Request Nos. 5, 9, 16, and 22 of Direct Purchaser Plaintiffs' Second Set of
2 Requests for Production of Documents; and Interrogatory No. 11 of Direct Purchaser
3 Plaintiffs' First Set of Interrogatories.

4 TAEC further objects to Interrogatory No. 21 pursuant to Rule 33(a)(1), which limits
5 the number of interrogatories that may be served by one party on another party to 25 (twenty-
6 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
7 of Rule 33(a)(1).

8 **INTERROGATORY NO. 22:**

9 To the extent that You contend that prior to November 2007 Plaintiffs knew, should
10 have known, or were not reasonably diligent in discovery regarding the allegations in their
11 Complaint, identify all Evidence upon which You intend to rely to prove such contention.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
14 22 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TAEC further objects to Interrogatory No. 22 to the extent it seeks information
17 which is equally accessible to Plaintiffs as to TAEC, or which has already been
18 produced by TAEC or by other parties in this litigation.

19 TAEC further objects to Interrogatory No. 22 on the ground that it is duplicative of
20 discovery served in this litigation, which is in contravention of the Discovery Protocol.

21 TAEC further objects to Interrogatory No. 22 pursuant to Rule 33(a)(1), which limits
22 the number of interrogatories that may be served by one party on another party to 25 (twenty-
23 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
24 of Rule 33(a)(1).

25 **INTERROGATORY NO. 23:**

26 To the extent that You contend that You provided false information, or false
27 commitments relating to pricing or production of CRTs to competitors at Glass Meetings or
28

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1 Bilateral Meetings with those competitors, identify each instance that you provided false
2 information or a false commitment and any Evidence related to it.

3 **RESPONSE:**

4 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
5 23 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
6 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

7 TAEC further objects to the terms "Glass Meetings" and Bilateral Meetings" because
8 they are vague, overly broad, unduly burdensome and seeks information that is neither
9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAEC further objects to the term "competitors" because it is vague, overly broad,
11 unduly burdensome, and seeks information that is neither relevant nor reasonably calculated
12 to lead to the discovery of admissible evidence.

13 TAEC further objects to Interrogatory No. 23 to the extent that it assumes TAEC
14 engaged in a conspiracy.

15 TAEC further objects to Interrogatory No. 23 pursuant to Rule 33(a)(1), which limits
16 the number of interrogatories that may be served by one party on another party to 25 (twenty-
17 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
18 of Rule 33(a)(1).

19 **INTERROGATORY NO. 24:**

20 To the extent that you contend that a competitor provided false information or a false
21 commitment relating to pricing or production of CRTs to You at Glass Meetings or Bilateral
22 Meetings, identify each instance, where such false information or false commitment was
23 provided to You and any Evidence related to it.

24 **RESPONSE:**

25 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
26 24 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
27 relevant nor reasonably calculated to lead to the discovery of admissible evidence.
28

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1 TAEC further objects to the terms “Glass Meetings” and Bilateral Meetings” because
 2 they are vague, overly broad, unduly burdensome and seeks information that is neither
 3 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

4 TAEC further objects to the term “competitors” because it is vague, overly broad,
 5 unduly burdensome, and seeks information that is neither relevant nor reasonably calculated
 6 to lead to the discovery of admissible evidence.

7 TAEC further objects to Interrogatory No. 24 to the extent that it assumes TAEC
 8 engaged in a conspiracy.

9 TAEC further objects to Interrogatory No. 24 pursuant to Rule 33(a)(1), which limits
 10 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 11 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 12 of Rule 33(a)(1).

13 **INTERROGATORY NO. 25:**

14 If Your response to any of the Indirect Purchaser Plaintiffs’ First Set of Requests for
 15 Admission was anything other than an unqualified admission, separately for each Request for
 16 Admission:

- 17 (a) state the number of the request for admission;
- 18 (b) state all facts upon which You base Your response;
- 19 (c) identify all Evidence upon which You intend to rely to support your response; and
- 20 (d) identify each person who has knowledge of the facts upon which you base your
 21 response

22 **RESPONSE:**

23 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 24 25 because it is vague, overly broad, unduly burdensome and oppressive, and seeks
 25 information that is not reasonably calculated to lead to the discovery of admissible
 26 evidence.

27
 28
 TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.’S OBJECTIONS AND RESPONSES
 TO INDIRECT-PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO DEFENDANTS

Case No. 07-5944 SC

MDL No. 1917

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1 TAEC also objects to Interrogatory No. 25 to the extent that it seeks the disclosure of
 2 information that is not within TAEC's possession, custody, or control and because any such
 3 information is equally accessible to the Plaintiffs as to TAEC

4 TAEC further objects to Interrogatory No. 25 pursuant to Rule 33(a)(1), which limits
 5 the number of interrogatories that may be served by one party on another party to 25
 6 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 7 interrogatory limit of Rule 33(a)(1).

8
 9 Dated: September 5, 2014

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10
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CONFIDENTIAL**CERTIFICATE OF SERVICE**

On September 5, 2014, I caused a copy of the “TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC. OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO DEFENDANTS” to be served via e-mail upon:

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TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.’S OBJECTIONS AND RESPONSES
TO INDIRECT-PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO DEFENDANTS

Case No. 07-5944 SC

MDL No. 1917

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TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.'S OBJECTIONS AND RESPONSES
TO INDIRECT-PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANTS

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